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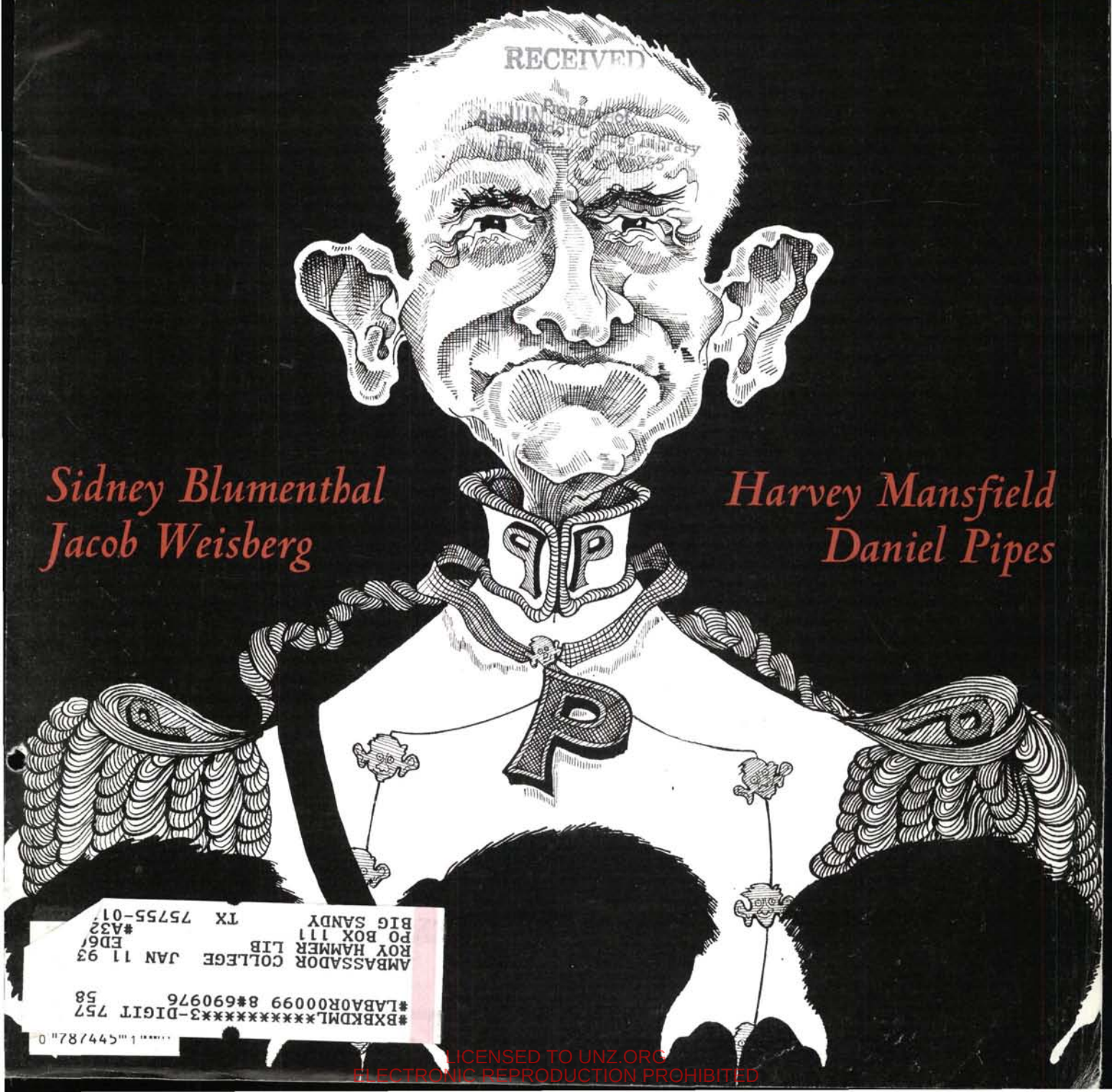

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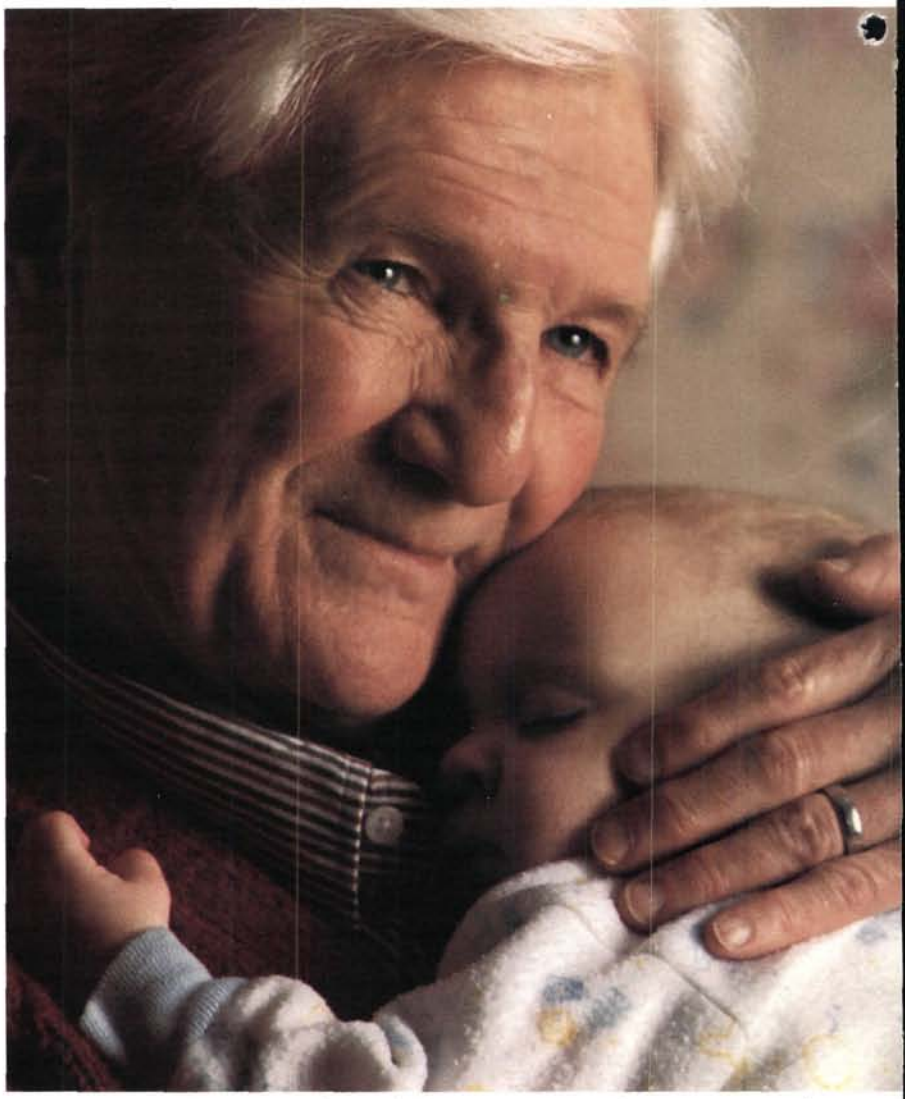

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JULY 6, 1992

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CORRESPONDENCE

Idiot-savants

To the editors:

I hate to rain on your hubris parade, but journalists no more produced truth twenty years ago than they do today or they will twenty years from now ("The Idiot Culture" by Carl Bernstein, June 8). The function of news in any society is to provide common knowledge, which is a very different thing than truth. What Carl Bernstein's investigation and coverage of Watergate did was to show the American public that it can't believe any "official word," whether it be from the U.S. government or Bernstein and Bob Woodward. Give the public a little more intellectual credit. The eager acceptance of gossip journalism comes from the overwhelming attitude that since we can't believe anything we read/see in the news, at the very least we can be entertained by it.

ELIZABETH HART
Eau Claire, Wisconsin

To the editors:

In an otherwise thoughtful piece, Carl Bernstein accuses the *Daily News* and the *New York Post* of "disgraceful" coverage of the New York primary. He combines the two papers but offers no specifics about the coverage he condemns. The *Post* can speak for itself. I will merely submit that the two papers were different.

The *News* did an issues comparison page and a series of interviews with voters about what they wanted to ask the candidates. It raised questions about Jerry Brown's earlier attitude toward New York City, his apparent approval of gay and lesbian "marriages," and it covered Clinton's various forays into ethnic neighborhoods, plus all the debates.

So perhaps Bernstein meant the front-page headline, WEED ASKED HIM THAT, after Bill Clinton admitted smoking marijuana when he had denied it to a *News* reporter two days earlier? Seems to me people have been talking about that little episode ever since. The only other front pages during the two-week campaign were on Hillary's charges about Bush's private life and her apology the next day. Seems to me people have been talking about Mrs. Clinton quite a bit too.

You can argue that those front pages should have been on foreign policy and environmental issues. But *Daily News* front pages have been eye-grabbers on the newsstands for seventy years. We haven't changed. If some other media have, does that make the *Daily News* disgraceful?

Bernstein adds that *Daily News* and *Post* coverage "eclipsed" *The New York Times, The Washington Post,* the network news divisions, and the serious and experienced political reporters on the beat. Well, excuse me! What does he mean by "eclipsed"? Who decides which paper eclipsed which? Couldn't be the readers, could it? Couldn't be those people who say they are fed up with the political establishment and planning to vote for Perot, could it?

MATTHEW V. STORIN
Executive Editor, Daily News
New York, New York

To the editors:

Carl Bernstein confuses things by assuming that the current video rages (Oprah, Geraldo, frivolous News at Ten) and entertainment-oriented journalism (he refers a couple of times darkly to the last fifteen years, which I assume is a euphemism for the lifespan of *People* magazine) lead to the decline and fall of civilization. He sounds like the newspaper editors forty years ago who were sure that commercial TV itself was the end of everything.

He is right on two counts.

It's true that many serious journalists are too arrogant and out of touch with their public. But smarter newspapers are struggling to deal with that, and get off the high horse. And it's true that the growth of infotainment is dizzying. But that, after all, is just an outgrowth of the electronic age; so, too, are the channel clicker, the p.c. revolution, computer bulletin boards, the proliferation of cable—and, for that matter, the Perot campaign to date.

Contrary to what Bernstein says, it is not clear that the "idiot culture" is taking over everything else. Contrary to his claim, most newspapers did not, one Monday morning last year, play the Trump divorce over Nelson Mandela's return to Soweto.

From where I sit, we call the things Bernstein is fretting about "change." And many of us went into journalism because we weren't afraid of it; we wanted to record it. The challenge is to figure out how to make sense of change for readers—how to put it in perspective, and put readers in control of their lives. And that is no different than when Bernstein was a "grunt," working cops for *The Washington Post.*

JOHN W. WALTER JR.
Managing Editor, The Atlanta Journal, The Atlanta Constitution
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To the editors:

Though I generally agree with Carl Bernstein, he alludes to a distrust of the media in the nation today, yet doesn't acknowledge that some of the fundamental reasons for this distrust have nothing to do with explicitly trashy forms of media. The major reason is the public's estrangement from elite media culture. The substantive philosophical orientation of a large majority of American journalists is out of touch with the fundamental orientation of the nation as a whole: formal conservatism (smaller government, anti-utopian, low taxes, etc.). The American press is for the most part taken by a hazy, sentimental, "politically correct" idea of fairness, equality, and compassion, which it pursues like a child in a candy store. In their zeal, most of the American media often come across, if subtly, as an organ of a one-party state.

Examples abound, the most recent being the total non-discussion of what many whites are thinking about the L.A. riots compared with what they thought about the riots of the '60s. The likely reason for this Orwellian silence is not a fear of offending minorities (which itself is a bad reason for not discussing the issue); it is a semi-conscious fear of bringing to the surface the fact that the public does not agree with the assumptions of the media.

TERENCE HOYT
New York, New York

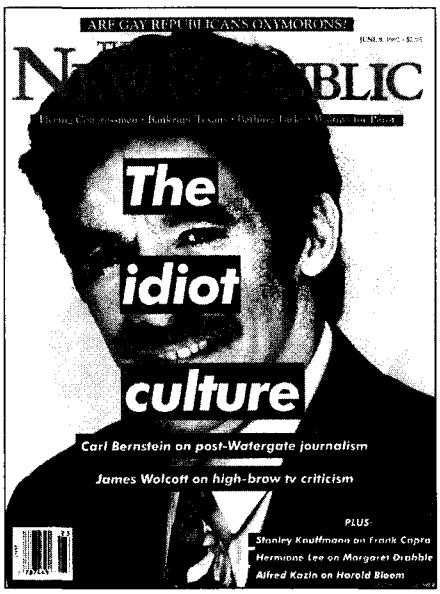
To the editors:

Carl Bernstein has actually *under*estimated the responsibility of the press for the major problems facing the United States today. When journalists attack, attack, and attack (unfortunately not always for the purposes of truth), we end up with a public that no longer trusts our leaders. Ross Perot would not be a viable candidate for president if the press had not attacked Bill Clinton like vultures looking for a kill. Certainly reporters are obligated to investigate wrongs in our society and our leadership, but they are becoming the story rather than telling it.

ANN-RUTH BLUM
Islip, New York

To the editors:

How ironic that Carl Bernstein should culminate his otherwise perceptive critique of the press with the very sort of distorted journalism he himself decries. His characterization of Ross Perot as "a candidate whose only substantive proposal is to replace representative democracy with a live TV talk show for the entire nation" is inaccurate and sensationalistic. To begin with, Perot has made more than one substantive proposal, including a call for legislation preventing leaders from cashing in on their governmental experience by lobbying for special interests, and a tax on entitlement payments to the wealthy. Nor has Perot proposed replacing representative democracy with a talk show. The proposal is to create an electronic town hall as a way to involve the American people in a serious discussion of our major problems, review possible solutions, and let them express their opinions electronically. As described by Perot, it sounds more like the "MacNeil/Lehrer NewsHour" than "Geraldo." Far from supplanting representative democracy, it may be precisely what is needed to restore representative democracy, which was hijacked years ago by special interests and sensationalistic journalism. More important, the proposal reflects a serious insight that the American people will accept painful reforms when presented with the truth, rather than the sound bites of the press or politicians. This shows a faith in the American people that we haven't seen from our leaders in years.



BRETT A. WALTER
Menlo Park, California

To the editors:

I offer the following comment in regard to Carl Bernstein's "The Idiot Culture":

> "Worry lest scholars become journalistic. We feel contemptuous of every kind of culture that is compatible with reading, not to speak of writing for, newspapers."
> —Friedrich Nietzsche, *The Will to Power* (1885), Section 132

PATRICK N. WATKINS
Troy, Michigan

Congregation

To the editors:

As one who has been a black Catholic priest for forty-three years, I was pleased with Paul Elie's article on Black Catholics in a white church ("Hangin' with the Romeboys," May 11). I was particularly heartened by his optimism about the future, especially his negative assessment of George Stallings's separatist movement and his positive view of the loyalty of black Catholics. My own experience of the latter concurs with Elie's view. Last year I retired from active ministry and moved from Chicago (the archdiocese to which I belong) to Albuquerque, New Mexico. This city has only a 3 percent black population, and Catholics are a minority within this small number. There is no "ghetto." There is no "black" parish. But given an opportunity to come together, a group of black Catholics has begun meeting regularly. A couple of members of the group are planning to attend the National Black Catholic Congress in New Orleans later this summer. Plans are already afoot to organize a "gospel choir," and there is a talented young black man who will develop and lead it.

What impresses me most is that the leadership is entirely lay people who value both their racial identity and their Catholic faith. Archbishop Sanchez knows that the group exists, but he did not call it into being, nor does he attempt to control it. My own role is strictly supportive, not directive. What impact we have on the life of the Church or secular society here remains to be seen, but the very existence of the group gives me hope for the future.

REV. ROLLINS E. LAMBERT
Albuquerque, New Mexico

Death by numbers

To the editors:

It is perhaps not surprising that selective reporting of racial incidents has contributed to the rising tide of race-based violence in our cities. Unfortunately things are a little worse than Arthur Hu would have us believe ("Us and Them," June 1). If the probability of violent death during the course of one year for a Korean shopkeeper is indeed 1 in 250 (.004), then the probability of survival is 249 in 250 (.996). Therefore the probability of surviving 30 years is .996 raised to the 30th power, which yields .887 (roughly 8 in 9). The corresponding probability of death is .113, or approximately 1 in 9 instead of, as he reported, 1 in 16.

JEROME N. SHERIDAN, M.D.
Denison, Texas

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FROM WASHINGTON

Ask a silly question

On June 4 President Bush held a traditional, full-dress evening news conference at which he was questioned by the professional journalists of the White House press corps. One week later Ross Perot appeared on NBC's "Today" show, where viewers questioned him by telephone for two hours.

Here, condensed (and omitting follow-ups), are the first ten questions the professionals asked Bush. 1) Will you debate Ross Perot in the fall campaign? 2) Is it proper for a man like Perot to use his wealth to run for president, and is Perot an insider or an outsider? 3) Do the opinion polls reflect a rejection of your message? 4) Do you agree with Dan Quayle that Perot was wrong in opposing the Gulf war? 5) If you're re-elected, will you submit a balanced budget in 1994?

6) Why are you going to the Rio Earth Summit since you're being so heavily criticized there? 7) Even though the economy is improving, you are still unpopular. What are you going to do about it? 8) When are you going to do in Yugoslavia what you did in Kuwait? 9) Why won't you use the "bully pulpit" of the presidency to take on pressure groups that prevent a balanced budget? 10) What were your dealings with Ross Perot on the MIA issue?

Here, similarly condensed (and omitting a joke inquiry involving the sexual organ of a popular radio talk-show host), are the first ten questions the non-professionals asked Perot: 1) When are you planning to declare your candidacy officially? 2) Are you pro-choice or pro-life? 3) What would you do as president to put unemployed Americans back to work? 4) What are your views on farm policy, especially concerning dairy farms? 5) Would you raise taxes to balance the budget? 6) How do women figure in your plans? 7) Do you support the Brady (waiting period for handguns) Bill? 8) Do you support national health care, and if not, what is your plan for health care reform? 9) An article in *Texas Monthly* portrays you as a ruthless businessman. Why should Americans trust someone like that? 10) Can you describe some positive qualities of your opponents?

Now, I do not subscribe to today's fashionable pseudo-populism, which holds that all wisdom lies with ordinary citizens, who are rightly outraged at all those out-of-touch, inside-the-Beltway cultural elitists who are wrecking the country, etc. etc. etc. On the other hand, based on this one sample, I would be hard-put to argue that on balance the insider professionals with press passes dangling from their necks asked better questions than the amateurs who got through to "Today"'s 800 number. How about you?

Journalists love to agonize about their calling. Every election cycle there's something new to agonize about. Spin control and sound bites are now old hat. This year's agony is whether the candidates, especially Ross Perot, are completely avoiding the crucial mediation of journalists by abandoning the traditional campaign mechanisms—speeches, press conferences, traveling circuses, appearances on David Brinkley—in favor of TV shows like Donahue and Larry King where they are questioned primarily by members of the public. Or Arsenio Hall, where they simply play the saxophone.

There are two concerns here. First, that untrained amateurs are no match for skilled professionals in exposing a candidate's flaws and weaknesses. And second, that semi-journalists like Donahue and King, not to mention non-journalists like Arsenio, unhealthily—or at least surrealistically—muddy the distinction between serious politics and trivial show biz. There is, no question, something eerie about the same show discussing men-who-would-be-president one day and women-who-ate-their-husbands the next. Whether this juxtaposition demeans democracy or merely reflects it is too heavy a question for today's sermonette. But the first concern, about amateur questioning, seems exaggerated. The amateurs could teach the pros a thing or two.

The most striking difference between the two sets of questions, of course, is that the pros are obsessed with process while the amateurs are obsessed with substance. It doesn't do to be too pious about this. We all want to know what Bush thinks about Ross Perot. But three out of the first five questions? And is the most pressing question, even about Ross Perot, whether Bush will commit right now to debate him come the fall? This is not looking for insight or even information. It's looking for a lead. Ditto the invitations to criticize Perot for bankrolling his own campaign, or to agree with Quayle that Perot was wrong to oppose the Gulf war.

To be sure, presidential candidates should be subjected to questions more rigorous than, "Sir, what is your position on issue X?" And at this point it is hardly worth asking George Bush if he is "pro-choice or pro-life" (as much as one would dearly love to know). But the pros' questions seemed less in the commendable spirit of "gotcha!" than in the silly spirit of "nyah nyah." Did anyone expect Bush to say, "Yes, as a matter of fact you're right—the opinion polls do demonstrate that the voters have rejected my message"?

As I know from personal experience, the defense has all the advantages in this game. It is virtually impossible to corner an even semi-experienced pol who doesn't wish to be cornered. Nevertheless, if a man has just delivered a pep talk for a balanced budget amendment, why ask him if he'll propose a balanced budget two years from now? Surely the "gotcha" question is why he hasn't proposed a balanced budget for the past four years.

By contrast, the single cleverest question in either session was asked by "Gene in Los Angeles" on "Today," who challenged Perot to list the "positive qualities" of his opponents. I can't think of a way to avoid an interesting answer. Perot actually handled it quite well, giving a gracious encomium to Clinton's achievements and revealing his contempt for George Bush by praising Barbara and the kids.

Even the straightforward "What about issue X" questions gave Perot enough rope to hang himself a couple of times on the questions of farm policy and entitlement reform. This is better than the professional reporters' score with their body-English inquiries of the "Do you still beat your wife?" variety. And the single dumbest question was asked to Bush by one of the pros: What would you say to Ross Perot if you ran into him?

In the recent British election, all three candidates (including the incumbent prime minister) were appearing on radio call-in shows regularly until the day before the voting. There, too, the untrained amateurs occasionally were able to nail a politician where the trained professionals could not. That doesn't mean we pros aren't needed anymore. But all the resentful yelps about the amateurs sound less like upholding of standards and more like fear of competition.

MICHAEL KINSLEY

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THE NEW REPUBLIC

JULY 6, 1992

RIO-CON

A principle of journalism holds that the more reporters on a story, the less gets covered. With several thousand correspondents at Rio, endless column-inches were devoted to the atmospherics and diplomatic sniping, both of which will be utterly forgotten. Little notice was accorded the actual content of the treaties to be signed—though that's where the real story was.

Consider the global warming treaty, the primary achievement of the Earth Summit. Despite what you heard, U.S. involvement made the treaty better. Here's why. There are two important greenhouse gases, carbon dioxide and methane. The former occurs in larger quantities, but the latter is about ten times as potent. The United States is the leading source of carbon dioxide; Europe, the offender in methane.

Before Rio, European officials (fonts of the anti-American complaints emphasized in the coverage) wanted carbon dioxide alone restricted. This would have imposed disproportionate costs on U.S. industry. The Netherlands, which by measure of public statements is Earth's greenest nation, is also the No. 1 per capita emitter of methane. Dutch negotiators, adamant about a carbon dioxide crackdown, wanted methane left alone because—get this—global warming science is uncertain. Ultimately the compromise that allowed the United States to sign the treaty, and George Bush to go to Rio, was that the United States will regulate carbon dioxide if Europe regulates methane. The treaty ended up covering a broader range of pollutants as a result of U.S. pressure. This was ignored by the media pack, because it spoils the Satan America spin.

The pack also dwelt on U.S. opposition to a clause fixing a carbon reduction target of 1990 levels in the year 2000. This was made to sound like a huge distinction, though there is unlikely to be any statistically significant difference between the two numbers. The trend line for carbon emissions is down in some recent years, including in the United States, mainly because of investments in energy efficiency: total carbon output for the year 2000 may fall below the 1990 level in many nations even if governments mandate nothing. Meanwhile Germany, praised for its greener-than-thou attempt to sign up E.C. states for a 1990 side commitment, jockeyed behind the scenes to have Bonn's reductions realized via credits from antiquated former East Germany foundries that will shut down in any case.

On the biodiversity treaty everybody, including American negotiators, agreed in principle to a document long on concessions to the South: royalty payments for genetic materials discovered on Third World soils, coupled with Northern funding for preservation of tropical biology. Everybody, including the document's Southern proponents, agreed the language was a mess. For one, it appeared to invalidate Northern patents for bioengineered products. The fuzzy wording specified neither how much the North would give nor who would administer the money. Sometimes when proposed treaties are a mess nations nod to them anyway, planning that once the spotlight shifts elsewhere, they will refuse to ratify them without amendments and side letters. An argument can be made for this position. But the position Bush took—continue negotiating till the parties agree on what the treaty means—is hardly the scandal it was made to seem.

Then there's the forest preservation compact. All Northern nations, including the United States, wanted to sign, though the treaty would have created a new argument for reduced logging in the Olympic Peninsula. In this case the South would not assent, calling the compact an intrusion on economic sovereignty. That may be a fair complaint. But while the United States was pilloried for worrying about the economic impacts of greenhouse and biotechnology controls, it was also chastised for not respecting the South's economic stake in forest use. Important Third World nations even resisted a vaporous statement of forestry principles. Somehow that was the fault of the white devils too.

Major players went to the conference with an interest in making Washington look bad. At times it was dishonest of reporters not to note this. The E.C., for example, wants community nations to cede authority over environmental affairs to Brussels. E.C. leadership has long felt that this will not be done until it usurps the traditional position of the United States as environmental reform leader. The E.C.'s chief environmental official, Carlo Ripa di Meana, theatrically announced a boycott of Rio. If the treaties were really so important, why wasn't Ripa di Meana there, making one last appeal? The EPA's Bill Reilly was.

Bush fumbled the Earth Summit from the p.r. perspective. But the consequential part of Reilly's work at Rio was defensibly pro-environment. Perhaps it's refreshing to hear that, for a change, the White House bungled the symbols while handling the substance. •

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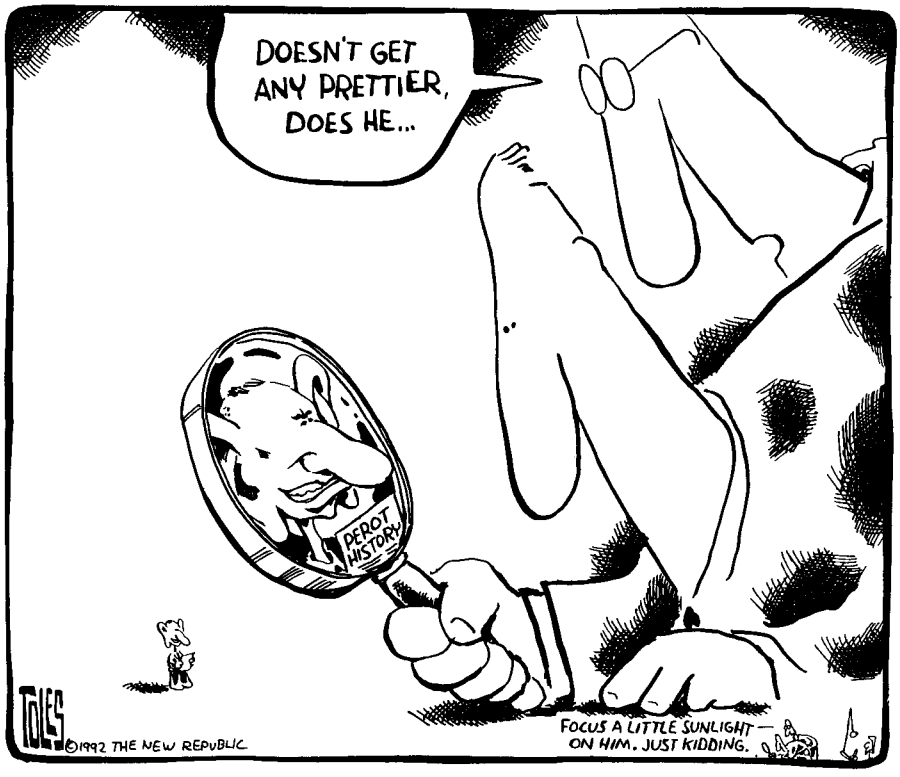
NOTEBOOK

BUSHISM OF THE WEEK: "We've known each other a long, long time and I—when I—this isn't just kind of the normal, political endorsement. I really mean it." —at a June 9 fund-raiser for Pennsylvania Senator Arlen Specter

THE POD WATCH: Support for Ross Perot may be the first thing that paleoliberal *Washington Post* columnist Mary McGrory and paleoconservative syndicated columnists Evans & Novak have had in common this century. Reporting from California, McGrory called the Perot petition drive "the liveliest, most exhilarating adventure in doing something since an army of youth took the field twenty-four years ago hoping to elect Eugene McCarthy to end the war." Meanwhile, according to Evans & Novak, "Ross Perot's San Fernando Valley storefront headquarters throbs with a commitment belying the conventional wisdom that his supporters view him strictly as none-of-the-above." On June 8 E&N stuck with the theme, boosting Jack Kemp as Perot's running mate. "If Kemp agrees, it might produce the strongest ticket this year," they wrote. McGrory, too, is doing her part. "The Perotians are on a different wavelength," she wrote on June 14, "a circumstance that maddens the consultants and handlers whose whole way of life is threatened by his steamy affair with the American electorate." Perot even has two neoconservative columnists on his side: A. M. Rosenthal of *The New York Times* and Mort Zuckerman of *U.S. News & World Report*. In a June 9 column, Rosenthal noted that he missed Perot when he was abroad, since he "managed to get America excited again about politics," and has made the presidential campaign a "two-man race again." "I don't understand all the sky-is-falling among some of my friends about a Perot candidacy," Rosenthal continued. Zuckerman has been less hesitant. "Perot has done nothing less than restore the individual to the center of the American democracy," he wrote on June 15. "Weber saw that such entrepreneurs must have 'unusually strong character ... clarity of vision, an ability to act ... highly developed ethical qualities ... and command the absolutely indispensable confidence of customers (and colleagues).' He might well have been describing the Perot story." You can almost hear the Wagner in the background.



BABBITT REDUX: Lest it be thought that we have nothing positive to say about Ross Perot's candidacy, how's this? There's something smug and hypocritical about the way reporters are gleefully skewering him over his sensible suggestion of cutting Social Security benefits for the affluent. It seems only yesterday that many of the same reporters were lionizing former Arizona Governor Bruce Babbitt for having the courage to endorse this exact deficit-cutting reform (known as "means-testing"). Now, when Perot estimates he could save $20 billion a year through means-testing, it's supposed to show what an ignorant hick he is. Doesn't he know this would require ending benefits for households with more than $60,000 in income? "These people do not deserve to be penalized," writes *New York Times* columnist William Safire. But wait a minute. We're talking about Americans who make $60,000 a year *in retirement*, not people who make $60K in their prime working years. People who get $60,000 in, say, interest income aren't middle class. They're rich. The over-$60K elderly are, in fact, the richest 8 percent of all Social Security recipients. If they can't be asked to sacrifice, nobody can. Perot has hundreds of flaws. This isn't one of them.

SPRUNG: He's back. The former mayor of D.C., Marion Barry, who was released from prison earlier this year, decided last week to re-enter the political arena by running for District Council. In a letter to residents of

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the poverty-stricken, predominantly black Ward Eight, where he is running despite never having lived there until this month, Barry pledged to use his "thirty years of serving, caring, helping, sharing, inspiring, uplifting, and advocating," not to mention his "experience and commitment," to better serve the needs of the people. Oh, and yes, one of Barry's promises if he gets elected: "You can count on me to advocate for quality ... drug prevention treatment and rehabilitation." We hear he has some experience in that area.

VERY DEMANDING: Nominated for this year's most absurd p.c. obfuscation of a good cause: the platform for the planned 1993 march on Washington for gay and lesbian rights. Immediate non-negotiable demands include not only an "end to poverty," but an "end to anti-Semitism," a "commitment to ending racism, including internalized racism, sexism, and all forms of religious and ethnic persecution," "support for affirmative action," and "an end to discrimination at all levels of education" and "to economic injustice in this country and internationally." All well and good, but while we're at it, why not a cease-fire in Bosnia?

IN A CATEGORY ALL BY HIMSELF: Now that the Buchanan insurgency is ended, the revisionist history begins. Samuel Francis, a columnist for *The Washington Times* and an ardent Buchananite, wrote on June 9: "There can be little doubt that Mr. Buchanan has been at least a major ripple in the earthquake now trembling beneath the American political soil." His evidence: "He received more votes than any challenger to an incumbent Republican president since Ronald Reagan ran against Gerald Ford in 1976." Hello? The only incumbent Republican president to run for reelection since then was Reagan in 1984. No one ran against him.

FEDERAL CASE:

Yahweh's Lawyer Alleges Religious Persecution

—*The Washington Post*, May 23
(thanks to Joshua Abramowitz, Washington, D.C.)

THIS JUST IN:

Rags-to-riches is the exception, not rule, studies say.

—*The New York Times*, May 18

Perot's environmental record.

DEATH TO TWEETY

By David Wright

The April night Ross Perot began his grass-roots bid for the White House, Larry King asked his views on the environment. "This planet is our home," Perot responded earnestly. "If we destroy the planet, we've destroyed our home, so it is fundamentally important." But King pressed for specifics, asking Perot whether President Bush should attend the Earth Summit in Rio. "I don't know a thing in the world about it!" he answered.

Unlike President Bush, who reluctantly went to Rio, Perot usually doesn't even pretend to be green. "I'm pragmatic," he told *The Washington Post* in May. "If there's a choice between survival and protecting the planet, we will pillage and plunder the planet if it gets that basic." Even when survival isn't necessarily at issue, Perot's preference seems to be to plunder first, then deal with the consequences. "Pollution? That's an easy one," he recently lectured a *Time* reporter. "Give me the choice of having all those industries dumping pollutants into the rivers or the choice of having no factories and I'll have the factories." On the question of logging in the Pacific Northwest, he recently said that if we're forced to, "We're going to want to cut every tree in the area to feed our children.... Nobody will think about the Spotted Owl if they're starving, except maybe to eat him."

Perot's record supports the drift of his comments. The Endangered Species Act is the one environmental law with which he has had some firsthand experience. In 1989 and 1990 he took part in a bitter and somewhat bizarre skirmish when a tract his company owns in Austin became the battleground over the survival of a rare bird. When Perot moved ahead with plans to build a shopping center and hotel there, the bird fell into the category of threatened species. By the time he was done, it was upgraded to endangered.

Perot's land in the Hill Country of west Austin sits at the edge of one of the nation's most ecologically sensitive areas, the Balcones Canyonlands, home to at least half a dozen endangered species. Among them is the golden-cheeked warbler, a migratory songbird that spends most of the year in South America but comes north each spring to breed in the juniper trees of Travis County. Its only nesting ground in the world happens to lie in and around Perot's 333-acre plot. Because of the wildlife concerns, the city of Austin in 1988 formed a task force of developers, ecologists, and

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government officials to hammer out a compromise conservation plan. Perot had a representative on the task force, but he didn't bother to wait for its conclusions. The panel was still meeting when Perot's company, Hillwood Development Corporation, which is technically run by his son, Ross Jr., decided to clear most of the property.

Hillwood Development had leased the land to a local goatherd, a move apparently designed to save tens of thousands of dollars on property taxes by claiming the land as a farm. Perot's lawyers discovered that the agricultural exemption also provided a convenient loophole in the environmental laws. Although as a developer Perot wasn't allowed to cut down any trees on the property, city zoning ordinances made no such restrictions on goatherds. Perot's company, worried that the golden-cheeked warbler could soon be subject to federal protection as an endangered species, quickly decided the goats needed new pastures, and sent in the bulldozers.

The idea was to clear most of the juniper trees from Perot's land before the warblers returned—like razing Capistrano, so that the swallows would have to swarm somewhere else. "It had devastating implications for these birds," says Jane Lyons, an executive of the local Audubon Society. "Golden-cheeked warblers have only a short space of time to breed, and they nearly always come back to the same exact trees they have visited for years."

Lyons and other local environmentalists were outraged. So were city officials, who ordered Perot to cease and desist while the City Council considered what to do. Environmental activists picketed Perot's Dallas headquarters, and the billionaire even came down to speak with them. According to the *Dallas Morning News*, he confessed that he didn't know much about goats, but gathered the animals might not be so bad. "Goats do a good job of clearing the land," Perot reportedly joked. "Would you be happier if we just bulldozed it?" Perot promised the protesters he'd stop leveling his property the instant someone bought it for what he had spent on it.

Later that week at the Austin City Council, Perot's lawyer John Joseph remained defiant. "Mr. Perot is entitled to this," he told the council. "There is no law that makes him stop." Perot prevailed. On a close vote the council left open the agricultural loophole in the zoning laws. So, with only weeks to go before the golden-cheeked warblers were due to return and build their nests, the clearing continued.

Local Earth Firsters had threatened to chain themselves to the bulldozers. But Perot's company came up with a way around that. Hillwood Development hired several dozen migrant workers, armed them with brand-new chain saws, and sent them out with orders to cut down any tree that was six inches or less in diameter. (They cut down bigger ones anyway.) One city councillor was so upset by the move that he changed his vote on the agricultural exemption, giving environmentalists the crucial vote they needed. Perot's workers were ordered, once again, to stop. This time, they did; the property has been quiet ever since.

Within a few weeks the U.S. Fish and Wildlife Service in Austin gave the golden-cheeked warbler emergency listing as an endangered species. The citation specifically noted the drastic reduction of the bird's available habitat, including clearing done on one tract that was technically exempt "because it is leased to someone who is raising goats on it." That December the bird was granted permanent endangered status.

To this day Joseph, Perot's Austin lawyer, denies that Hillwood Development did anything improper. He stands by the goat story, saying the company was merely trying to please its tenant, the goatherd. "This was no more skirting the law than going out and mowing your grass would be," Joseph maintains. Apparently the goats were not impressed by the effort Perot made on their behalf. Joseph says that they escaped some time ago and were never seen again.

DAVID WRIGHT is a reporter for WBUR, public radio in Boston.

THE SHRUB FILE

PANAMA SPLAT

By Douglas G. McGrath

Monday, June 1, 1992—Washington

I know I'm just a Secret Service agent, and my job is to protect the president, not put him on the couch, but I'm worried about the Shrub. He stayed up very late last night, rereading his polls where he was at 90 percent and doing shots of Peppermint Schnapps. Then, around 3:30 a.m., he came out of personal quarters and asked Agent Banks and me if we wanted to "stretch the Secret Service legs?" Banks and I followed the Shrub to the horseshoe pit. It was pitch black, of course, but the Defense Department has lent the Shrub night goggles. He put them on upside down. He was so wound up, I don't think he even noticed.

"Don't understand this press-based fanatically pro-Perot churning around," he said, throwing a shoe in the pool. "We've got an improved economy out there—still anemic, I know, but starting to pull a groundhog and lift its head out of the ground down there—*ground may be low, but head is high*—so we're A-OK economic-recovery-wise. Won a big war against a bad man, worse than Hitler, and prior to that one, did some major inroading into the flag burning crisis which was just—there was a total—just—and that marvelous media out there—hey, I respect 'em, but not the Bush cup of tea,

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job-choice-wise—and but yet—you gotta just admit they're *throwing the game to the other guy.* Every night on the nightly news-thing: the Perot show!" He threw a horseshoe into the volleyball net. "Well, I am *not* going to go on in this way where the country is allowed not to think about me as much as I want. That's not why I took this job." He threw a shoe and snapped a rose bush in half. "I'm going to reclaim things agenda-wise. I'll give a press conference and I'll use the power of the presidency and my own just natural way of—my natural way with—oh, what do you call those little guys? You know, they always have them in books and articles?"

Very hesitantly, I said, "Words?"

The Shrub cried, "Bingo, Duker! You hit the nail on the top of the nail! *Words!* I'll call a Pee conference and use my way with w's to make things clear to the country once and for all where I stand visionarily." He threw a shoe through the Oval Office window and took off his glasses. "Come to quarters, fellas, and take a chow break. Bar usually gets up around now for a blow of chili."

Thursday, June 4

The Shrub gave his press conference. The blue suits had decided he should 1) stress the economic recovery and 2) avoid mentioning Perot at all times. This was hard since no one else believes there's a recovery and almost all of the questions were about Perot.

When someone asked him just to say Perot's name, the Shrub refused. He said, "No need for name-saying. Only glorifies him, and I'm not in a glorifying-my-opponent mode. But let me help you with what I want to talk about: about how that gross domestic product, GNP, is moving, and yet, at this juncture, the American people haven't checked into their machines and picked up the message. And that's because things are turning around *quietly,* not wildly like on some Disneyland deal where you think, 'Hey! There is some major teacup twirling going on here!' *That* kind of recovery makes people want to pull one of those lunch-launching routines I did in Japan. Our recovery, this recovery we're having right here, the kind of turnaround you get in one of those revolving restaurant-type setups where you're eating your shrimp cocktail and looking at the Hudson and by the time you're hiding your broccoli in your napkin, you're staring at Wall Street. What we've gone after is a recovery that the American people will have time to get used to."

Saturday, June 6

Polls even worse after press conference. Banks and I found the Shrub at the shoe pit again last night, deeply depressed. We told him not to worry. He said, "I try to be a glass-half-full kind of fella, but—" He did a shot of Schnapps and then chased it with his white wine spritzer. "Oh, well. Let's go down to Rio and take on the sprout-eaters. Maybe that'll help."

Thursday, June 11—Panama

There's good news and there's bad news. The good news is: Agent Diggins is back. He was first taken out in April when the Shrub pitched a curve ball into his head. Then in L.A. after the riots, his protective helmet failed and his brain didn't get oxygen for seventeen minutes. He seems recovered, although every so often, in the middle of a sentence, he sings something from *Oklahoma!*

The bad news is: the trip to Panama. The Shrub was being introduced when we heard noises and saw smoke. Diggins went to examine and radioed me from the scene: "There's an unruly crowd just a block from the Shrub. Fires burning, rocks being thrown." Then he sang, "Chicks and ducks better scurry! When I take you out in my surrey with the fringe on top!" Then the line went dead. Banks went to check it out. Someone had thrown a tire and hit Diggins in the head. Meanwhile, the Shrub was being introduced as a man who changed the course of history, a brave and strong leader, but the tear gas was so bad, he and President Endara had to leave. As I helped him off the podium, he said to me, "Duker, I'm sorry to have you see saline rushing down the presidential cheeks." I said he shouldn't be embarrassed, this tear gas would make anyone cry. He wiped his eyes and looked at me. "The Bush eyes aren't crying cause of this T.G. I'm crying cause nobody ever says nice things like this about me back home!"

DOUGLAS G. MCGRATH is a playwright and screenwriter.

NEW YORK POSTCARD

LIKE A PRAYER

By Adelle-Marie Stan

When John Cardinal O'Connor, long the nemesis of pro-choice Catholics like me, announced his plans to lead a prayer vigil at a Manhattan abortion clinic last week, I knew I had to go. Always curious about the people who form the shock troops of the pro-life movement, I decided to observe them firsthand by joining the ranks of the rosary-praying procession to the Eastern Women's Center.

Outside St. Agnes's Church, contained by a phalanx of cops and blue barriers, stood the pro-choice brigade, a mix of women's and gay rights groups. Among the organizers was Frances Kissling of Catholics for a Free Choice, a group that is often toe-to-toe with the Church in canonical and theological battles. Inside, it was standing room only. Having taken my place at the rear of the church, I missed the cardinal's entrance, unable to see above the sea of heads, some demurely covered with chapel veils or straw hats.

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Large men in navy blue business suits provided security within the church, the suits occasionally decorated with a lapel pin depicting a stylized animal typical of medieval coats of arms—a griffin or something. Others wore red armbands; they were the "prayer marshals" who would lead us in the rosary as we marched to the clinic.

In the cardinal's homily, he introduced the new order of nuns he founded last year, Sisters for Life. The six sisters were dressed in traditional habits (sans wimple) of starched, taupe-colored cotton. The cardinal spoke with pride of how the order now had six novices and as many postulants. "They are not exceptional," he said, "but they are mine." He then turned solemn: "We must not let violence beget violence." He told of the "mad bomber" of abortion clinics whom he had helped apprehend some years ago when he appealed to the culprit to turn himself in. "I had to think of him this morning," he said, "as I was informed that last night there was a call to the police that if I were with you today, the caller said he would shoot me." He paused dramatically so the collective gasp of the crowd could be heard. "Again, it's only a reminder," he said, "that violence begets violence...."

The woman standing in front of me aimed her Polaroid at the altar and shot. She wore the blue wool beret of the devotees of Our Lady of the Roses, a shrine to the Virgin in Flushing, Queens, where Veronica Lueken claims that the Mother of God regularly appears to her. Veronica, a Bayside housewife, passes Our Lady's messages on to the world through her newsletter, "Roses," and a toll-free number: 1-800-345-MARY.

The crowd outside was getting quite loud, banging drums and chanting, "Not the church, not the state, women will decide our fate." The temperature rose inside. O'Connor reminded us that once outside, "We will make no response whatsoever to anyone who may wish to speak with us.... No matter what words might spring to our lips and to our minds," he cautioned, "we will simply continue to pray." He went on to inform us that today was "an auspicious day"—the Feast of St. Anthony of Padua, "the patron saint of childless women. Today," he said, "we will pray to St. Anthony." He closed with the story of his rosary beads. They were given to him by "the famous Mother Teresa of Calcutta" in Rome on the occasion of the cardinal's elevation to the bishopric.

I too stood clutching a rosary. It was made by my grandfather, now dead, a fierce and charming Irishman who vehemently opposed abortion. He knew where I stood on the issue and still accepted me, but had I been a stranger, it might have been another story. Would he be appalled at the use of his beads in my subterfuge? Or pleased that I still remembered how to use them? As a child, I loved the rosary. The repetition of the gentle prayers would lull me into a trance that sent my mind wandering above the clouds. But today my grandfather's pretty amethyst-glass beads were to be used as a political weapon, as were all the beads in this room, even the chintzy little plastic sets you could buy if you'd come haplessly unprepared.

Most of the congregants were over 45, though there were younger people in the church. There seemed to be as many women as men, though the men were clearly leaders, and the women tended to be beyond childbearing age. During the Rite of Peace, I exchanged an awkward handshake with a handsome Filipino man in his 20s. Near the front of the church I saw several teenage boys with stylish haircuts who wore brightly colored T-shirts that read: "Choose Life." At the communion rail stood a handsome man in a blue suit, with a handlebar mustache with elaborately waxed ends. Next to me, at the rear of the church, stood an older man with the ubiquitous navy suit. In his lapel was the griffin pin. "Excuse me, sir," I asked, "what does your pin mean?" He looked straight ahead. "American TFP," he grunted. "Oh," I said. Tradition, Family, and Property is a fringe organization, founded in 1960 in opposition to Brazil's land reform efforts. Its founder, a rabid right-winger, was a defender of the Inquisition.

As the noise outside grew even louder, the cardinal began the rosary, and we left the church. The pro-choicers were ready for us, chanting and drumming, but they were held to the sidewalks by the blue barricades, and we received a police escort down Madison Avenue. As we neared the clinic, we moved with less ease. The sidewalks were lined with placard-carrying choicers. Some carried NARAL and NOW signs; but most telling were the hand-lettered signs. "I'm a sex expert," boasted the placard held by a man dressed as the pope. A more respectful participant announced: "Notre Dame Graduate for Choice." Others bore the now familiar chants, such as: "Pray, you'll need it; your cause has been defeated." I stepped on a stray flier that featured a photo of O'Connor with these words slashed across it: "Wearing a dress doesn't make you an authority on women." They chanted their sayings, and we chanted back our prayers: "*Hail Mary, full of grace...*" "KEEP YOUR ROSARIES..." "*The Lord is with thee*..." "OFF MY OVARIES..." "*Blessed is the fruit of thy womb*..." I stuck to the center of the column, where I was pressed toward two elderly men. "Look at these protesters," one said, "a bunch of Jews."

When we arrived at the clinic, the air was acrid with tension as each side hurled chants and chanted prayers at one another. The praying ones held their rosaries high, as if to ward off vampires. Women in pink tunics emblazoned with the words "Clinic Escort" stood watch on the streetcorners to whisk patients into the facility. Suddenly overwhelmed by the heat and the noise, I broke ranks and went in search of a coffee shop. In my absence, several women were escorted by the pink tunics into the clinics, their faces shielded by articles of clothing, as if they were criminals.

I soon raced back to the church, where the pro-lifers were to reconvene for a benediction by Bishop Thomas Daily of Brooklyn. The church was full of people and the glorious scent of incense. The bishop led the congregation in a chanted benediction—in Latin. I hadn't heard Latin in church since my early school days. Suddenly I was surrounded by a church of another era. The beauty

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of the organ music and the Gregorian chant and the Latin, which had united a disparate lot of people not so long ago, made me wish I could still celebrate it, and know nothing more than its spiritual meaning.

A little priest stood at a podium. "There are 200 sandwiches downstairs," he said, "and 400 cups of coffee." I bolted for the door, through the crowd kneeling on the stone floor at the back of the church, and out into the light of day.

ADELLE-MARIE STAN is a New York writer.

Perot vs. the Constitution.

ONLY AMEND

By Harvey Mansfield

Who is Ross Perot? He is a businessman who wants to be president and thinks he sees an opportunity to get there despite the system that stands in his way. Most conventional opinion holds, with increasing nervousness, that the system, consisting of the habits of electors and the institutions that form them, will ultimately win out. I fervently hope it is right, and we shall see. But why should Perot think he can win? What are the weaknesses in our system that make it vulnerable to an upstart runt like Ross Perot? We need to know because the "system," as the experts call it, is actually our Constitution, and our Constitution is our way of life.

Begin with a look at Perot's behavior up to now. Neither a visionary nor a spellbinder, Perot is a matter-of-fact demagogue of the center with contempt for the parties on both wings that create the center. Although he has more political experience behind the scenes than he lets on, he has never held public office of any kind, whether appointed or elected. Other American presidents have come from outside partisan politics—Dwight Eisenhower the most recent—but they at least were generals with experience of public responsibility and public accountability. Perot is a businessman with experience in dodging the government or using it. To him, government is either an obstacle or an instrument, deriving no respect in itself for having been constituted by a free people. He calls it the "Establishment," a term bequeathed to our political speech by the lovable late '60s. And who wants to defend the Establishment or the system that sustains it?

Nobody wants to defend the system because the system, according to the experts, works automatically and doesn't need defense. Nobody ever swears an oath to the "system." But our system, on which the experts rely to defeat Perot, seems to be losing its capacity to deal with a momentary enthusiasm in the people; the system seems rather to welcome Perot and to facilitate his well-meditated surprise entry. The system is supposed to make the Constitution, a document, take life and work. The trouble is that the system as it is developing seems to hinder the working of the Constitution.

The Constitution, we know, was framed so as to discourage precisely the kind of momentary enthusiasm Perot represents, to mitigate against popular whims, to encourage the "cool and deliberate sense" (Federalist 63) of the people. It does this by placing barriers to quick action by a temporary majority, by separating powers both within the federal government and between states and federal governments. It also does this, however, by the very act of specifying a formal structure of offices with defined powers and means of selection. The people must wait for an election in order to have their way, and their will can take effect only through the powers of the three branches, which analyze, organize, and rationalize the people's intent. Between the people's will and its final effect, the Constitution establishes stages of consideration: a law must be thought up, introduced, passed, executed, and judged. Each stage has its legalities and formalities that must be served and respected, that are not merely the most efficient modes at any particular time of securing popular will but are fixed in custom, in law, and ultimately—foundationally—in the Constitution.

Of course, Perot appeals to a people perhaps rightly concerned that its problems be addressed, even at the expense of certain formalities. In these circumstances, a constitutional democracy is often forced to ask itself whether new extraconstitutional modes are needed to keep government popular. So political parties, not mentioned in the Constitution, were found necessary as early as the 1790s. Jefferson's Republicans thought their party was an expedient innovation to protect the Constitution against oligarchs and "monocrats." Later the Progressives instituted primaries within the parties, which became important in the election of 1912, in order to democratize consent further; and primaries were made universal after the McGovern-Fraser reforms were accepted by the Democratic Party for the election of 1972.

This process of democratization gradually brought the Constitution, against its original intention, closer and closer to popular will. Today's extraconstitutional modes—from exit polls to call-in shows—take the process one step further. Now a candidate can in effect nominate himself with his own new modes of ambitious generosity in total disregard of the primary system. Far from apologizing for having missed the primaries, Perot makes a point of the money he has saved us thereby. He is not yet even a declared candidate; he is an "undeclared candidate" who declared his availability for the job on "Larry King Live."

A free press—a key extraconstitutional mode—connects a people, allowing it to communicate, but it also requires it to read and think (a little), and thus to act

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with common information on a common idea. So said Tocqueville. Radio is more intimate than the press, and television more so yet. Rather than proposing common action, TV is for people who need entertainment. TV makes its viewers intolerant of boredom and then fears to bore them: hence the ever diminishing sound bite in search of ever increasing punch.

In the present campaign, the talk show has intensified this process. It forsakes set speeches with chatter, and promises responsiveness by seeming to give callers the initiative. Perot—again ahead of the pack—has said he plans to institute an "electronic town hall" as a means of *governing*, let alone campaigning. The media dislike Perot not only because he attacks them but also because they vaguely sense that he is usurping their mediating function. Perot is doing to the media, and with the aid of the media, what the media have done to the political parties. On June 4 NBC refused to carry President Bush's press conference because it would surely be partisan rather than presidential. One week later, having overcome its stuffy insistence on propriety, it gave Perot a full two hours on the "Today" show to answer easy questions from viewers.

On some future occasion Perot will no doubt be suitably grateful to NBC, but at present he is making fools of the media. He is taking advantage of our failure to understand the need for space between government and people in a democracy. Constitutional space allows the government to do its job without always having to fear unpopularity, and it enables the people to stand back from the government and judge what it has done without too much prejudicial involvement. For how could a people blame a government that has acted in accordance with the buttons the people themselves have pushed?

Elections were originally part of a constitutional design to connect people to government, but only at a distance from one another that preserves the independence of both. Elected for two to six years, politicians would have the time and scope of office to act and to build a record of their own. Of all innovations, polls have chipped away at this critical distance between electors and elected. Perot has predictably used them well. Never having run in any election, he exists in his official role of candidate solely by virtue of the polls that say he is more popular than the parties' candidates. Polls (I will suppose) were originally intended innocently to predict how people would vote in elections. Now they delegitimize elections, as, for example, in the California primaries, when exit polls showed that voters were hankering for Perot while casting their ballots for Bush and Clinton. And between elections, polls hamper governing by making government aware of just how popular it is, and so tempting it to equate popularity with right.

Pollsters are now everywhere in our politics, and since we would rather have popular opinion than God on our side, our politicians now cite polls as much as they used to quote the Bible. The Bush administration, lacking the ideological energy of its predecessor, is given to the fault of citing polls. It should be remembered that Bush's highest rating, following victory in the Persian Gulf, came after he dared to defy polls revealing hesitation in going to war. The best case is when the people are right; the second-best is when defying popularity for the sake of right produces popularity; the usual best case is some compromise of popular and right. No democratic politician can make a prudent compromise if he assumes the people are right.

It is just this confusion—the ever present demon of popular government—that Perot promises to embrace. He will be the servant of the people who acts, moves, executes on their behalf. Docile to them, he will be decisive for them; and they, in turn, will rule by being ruled. Enough of the talk that gets between desire and action! Talk is the cause or material of "gridlock," a term we have borrowed from political scientists echoing Woodrow Wilson's criticism of the Constitution. Perot is some distance from the proper professor that Wilson was, but he surely owes much to pragmatism, the philosophy of cutting corners, which shared a political alliance with progressivism. Although pragmatism was willing to live with the Constitution (in order to pervert it), it is essentially hostile to liberal constitutionalism and to the proprieties that distinguish it from populism. The Living Constitution created by the pragmatists in the 1920s is not much different from the activists' Constitution taught in law schools today. The Living Constitution is always in adjustment and never in the way. It rides with the times, providing that the times are interpreted by pragmatists.

The people want Perot so that he will fix the system. But they are deluded. Perot will make the system worse because he himself represents the system at its worst. Far from being the outsider, he is our culture's insider, riding, not bucking, the several trends of populism, ever more powerful, that endanger our constitutional politics. Perot calls himself a servant of the people, and he has announced that if the people no longer want him, he will resign. That announcement in itself is good reason not to want him. He will neither stand up to unpopularity nor take responsibility if it is necessary.

Perot is an unprincipled businessman of the kind Adam Smith warned against, who cares little for free enterprise and believes only in what works. His claimed concern for the future of the country is sincere but unguided as well as unrestrained. The Constitution is more restraint than guide, but its restraints provide the only guide proper to a free government. The restraints apply from the people to the government (elections), within the government (separation of powers), and from government to people (laws). Since no one is properly unrestrained, the challenge is to keep the three restraints consistent with a free, independent spirit in both people and government. That, as the Founders understood, is some challenge. And it is a challenge Perot does not even acknowledge.

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Ross Perot's Vietnam syndrome.

THE MISSION

By Sidney Blumenthal

Ross Perot lives on Strait Lane in a world of his own. On the most exclusive street of millionaires in North Dallas, he has surrounded himself with alarms and sensors, fences and security guards. He has frequently deployed private investigators to uncover personally discrediting material about competitors. Those determined to humiliate and destroy him, he has explained, publicly and privately, include terrorists, drug lords, the CIA, and a criminal cabal of high officials in the Reagan and Bush administrations in which the president of the United States is complicit. Perot has convinced himself that the immense conspiracies arrayed against him will resort to any means necessary to achieve their ends. So he speaks frequently about assassination plots, and claims to have rewritten his will with martyrdom in mind.

The methods he uses to keep a hostile world at bay have even been exercised on his family. According to a reliable eyewitness, he has had his children followed systematically by a small brigade of private investigators, off-duty policemen, and company employees. Their friends have been subjected to secret investigations. The imperious father has forced his children to cut off close relationships, personally threatening to "ruin the lives" of certain friends he didn't like. (Perot has refused to return calls about these episodes.) He fears his children may be taken hostage by terrorists, or held hostage by the terrors of a world he doesn't control. Perot has brought the war home.

No one really knows when hostages first seized the high ground in his imagination. Perot has always claimed that he was recruited by the Nixon administration to pursue the POW issue in Vietnam. But a former State Department official, who coped with the consequences of Perot's abortive flight to deliver Christmas presents to POWs in 1969, told me that the venture was Perot's idea and never officially sanctioned. "He did it on his own. He volunteered," former Secretary of Defense Melvin Laird remarked to the Associated Press recently about Perot's involvement with the POW issue. In time the Nixon White House came to regard Perot as an eccentric nuisance, a problem child to be handled and isolated. Perot, however, persisted in inserting himself into the center of the POW issue and raising displays of hostage imagery. In 1970 he paid for and got Congress to exhibit inside the Capitol a Madame Tussaud-like diorama of two POWs in a bamboo cage, complete with cockroaches and a rat. When the POWs returned in the summer of 1973 to great fanfare, Nixon toasted them at a black-tie affair held in a tent pitched on the White House lawn. Not to be outdone, Perot staged his own welcoming ceremony at the Cotton Bowl, flying the POWs and their families to Dallas to witness a patriotic extravaganza. At the climax of the event, the klieg lights focused on the bleachers, and the host rose to accept the acclaim: Citizen Perot.

After that catharsis, the hostage issue seemed to fade, not only in the public's mind but in Perot's as well. "There just isn't any reason for him to believe there are any more people alive back in there," a Perot spokesman, William E. Wright II, declared in 1981. But the case that appeared to be closed by Perot was suddenly opened again. Over the Fourth of July weekend in 1980, Perot had paid for an encampment of 600 former Green Berets in Fayetteville, North Carolina, shooting off fireworks into the night and regaling the crowd with a long story about a physical confrontation between John Wayne and a "little sissy Swiss guy" whom he forced to cook him a steak. It was at this gathering that James "Bo" Gritz, an ex-Green Beret turned soldier of fortune, met with Perot to discuss an expedition into the jungles of Southeast Asia to rescue POWs. Perot put up the money.

In 1980, when Perot got himself named to head the governor's task force on drug abuse in Texas, he demanded that the state build a heliport in his backyard so that he could make a fast getaway from terrorists and drug lords, who might kidnap or assassinate him. But wealthy neighbors objected. They suspected, the *Dallas Morning News* reported, that Perot wanted the heliport in order to make it easier for him to travel to his company's headquarters if it were moved nearby. Though the heliport was never built, Perot's firm did move three months later. He was peeved about the unfavorable publicity, afraid that it might provoke attacks. "You see," Perot said, "that just excites the nuts."

Down in the Caribbean, meanwhile, Perot was staging his own ersatz war on drugs, hiring an ex-Green Beret, Richard Meadows, who scooted around in speedboats but interdicted nothing. Perot presented the U.S. Customs Service with a scheme by which he would purchase a Caribbean island as a base against drug traffickers in

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exchange for which the government would grant him a monopoly on the services they needed, such as fuel. "If I'm going to buy a damn island down there," he told a customs official. "I want my money back."

In Washington Perot engaged in a nasty war with the Vietnam Veterans Memorial Fund. When a group of veterans who wanted to construct a memorial had gone to him in 1979, he gave them some seed money. But he hated the design their selection committee chose: a black reflective wall on which would be chiseled the names of the fallen. "I'll wipe you out," Perot told John Wheeler, the leader of the veterans' fund. He claimed that he would take a national poll that would prove his view. And he hired Roy Cohn, who had been Senator Joseph McCarthy's counsel. Cohn demanded that the government audit the veterans' accounts, and private

Plotters

"If you fear a plot, organize one yourself." —Umberto Eco, *Foucault's Pendulum*

The actions of conspiracy theorists like Ross Perot (see "The Mission" by Sidney Blumenthal, above) fall into a remarkably consistent pattern: those who believe in plots almost always engage in them. Conspiracy theorists often end up as conspirators. What begins as a search for subversives ends in subversion; haters of the hidden hand take on the very characteristics they loathe. As Edward A. Shils, the sociologist, puts it, "The fantasy of conspiracy requires the reality of counterconspiracy."

Perot's paranoid, conspiratorial behavior has many forerunners. The first stirrings of the Ku Klux Klan offer a classic example. When the Klan came into existence in the late 1860s, it bristled with conspiracy theories about secret societies infiltrating the United States and undermining its way of life; it was an anti-conspiracy organization. But soon enough it adopted the insignia, rituals, and signs of a secret society and became deeply conspiratorial. By 1924 not only did the Klan oppose a resolution condemning secret societies at the Democratic Convention, it also used conspiratorial methods to defeat the resolution. It was, as the historian David Brion Davis notes, a "movement of countersubversion becoming in itself a secret and genuinely subversive force." Davis described the nineteenth-century American nativist similarly:

> By condemning the subversive's fanatical allegiance to an ideology, he affirmed a similarly uncritical acceptance of a different ideology; by attacking the subversive's intolerance of dissent, he worked to eliminate dissent and diversity of opinion ... by criticizing the subversive's loyalty to an organization, he sought to prove his unconditional loyalty to the established order. The nativist moved even farther in the direction of his enemies when he formed tightly knit societies ... which were often secret and which subordinated the individual to the single purpose of the group. Though the nativists generally agreed that the worst evil of subversives was their subordination of means to ends, they themselves recommended the most radical means to purge the nation of troublesome groups.

By similar token, the American Protective Association, founded to battle a Catholic conspiracy to take over the United States, distributed a forged papal encyclical calling for the execution of heretics. And the John Birch Society mimicked its Communist enemy in its tactics (for example, establishing front organizations). A latter-day Know-Nothing Society, founded in 1965, sought to combat left-wing organizations by secretly infiltrating and affiliating them with the Know-Nothing organization.

The classic non-American conspiracy-theorist conspirator was Pyotr Ivanovich Rachkovsky, chief of the Okhrana (czarist secret police) office in Paris, and the official responsible for forging *The Protocols of the Elders of Zion*. The French police arrested Rachkovsky in 1879 for sheltering terrorists who engaged in an assassination attempt. To win his freedom, Rachkovsky agreed to become a police informer. Eleven years later he uncovered a Parisian organization that provided bombs to be set off in Russia against official targets; seventy anarchists were arrested by the Okhrana. It later turned out that Rachkovsky himself had provided the bombs, hoping they would enhance Franco-Russian police cooperation, which in turn would be a first step toward military alliance.

But these were just warm-up exercises; Rachkovsky's greatest plotting came in 1902, when he created a French-Russian anti-Semitic league. "To ensure its success," writes Umberto Eco (only a novelist could hope to capture its logic), "he declares that the league exists, so that people will then create it. But he uses another tactic, too; he cleverly mixes truth with falsehood, the truth apparently damaging to him, so that nobody will doubt the falsehood."

The monumental conspiracy-theorists-turned-conspirators were, of course, Hitler, Lenin, and Stalin. Hitler's fascination with the *Protocols* led to the paranoid, conspiratorial Third Reich. Lenin portrayed monopoly capitalists as a cohesive group who shared interests and willfully imposed their wishes on everyone else. That gave him an idea:

> In *form* a strong revolutionary organization in an autocratic country may also be described as a "conspiratorial" organization.... Secrecy is such a necessary condition for this kind of organization that all the other conditions (number and selection of members, functions, etc.) must be made to conform to it.

Even in the last days of the USSR, the pattern re-emerged. In the hardliners' effort to overthrow Gorbachev, the conspirators inevitably raised the specter of a conspiracy. Vladimir Kryuchkov, the head of the KGB, set the plot in play by warning his fellow conspirators on the afternoon of August 18, 1991, of an armed uprising about to take place. He told them that strategic points (the television building, railroad stations, and residences of members of parliament) were being surrounded as he spoke. Of course, this was untrue. But it was a fitting end. The Soviet Union died as it was born, in counterconspiracy.

Compared with these specialists in conspiracy, Perot is an amateur. But he shows promise. The ingredients are all there: a belief in imaginary cover-ups and clandestine government; secretiveness; and an inclination to run all institutions along military lines. The record suggests that someone with this temperament will eventually make the move from conspiracy theories to actual conspiracies.

DANIEL PIPES

Daniel Pipes is co-editor of *Friendly Tyrants: An America Dilemma* (St. Martin's).

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investigations were launched into their personal backgrounds. Elliot Richardson, the former attorney general, served as the veterans' lawyer. (Perot had resisted Richardson's efforts as secretary of the Department of Health, Education, and Welfare to audit his computer contracts, which were later found to involve exorbitant profiteering.) Richardson helped the veterans weather an audit by the General Accounting Office, which discovered no irregularities, and finally saw the building of the Vietnam Memorial. "If there's anyone on the national scene dishing out crap in wholesale quantities," says Richardson, "it is Perot himself."

During the controversy over the wall, Perot lobbied members of the Reagan administration, including Reagan, to take his side, but he won no support. Many of those who had dealt with him back in the Nixon days had formed a strong negative impression. When Perot attempted to get himself appointed to the Defense Advisory Committee, and even got on a short list, Secretary of Defense Caspar Weinberger immediately struck him off. (Weinberger, another former HEW secretary, had objected to Perot's rip-off government contracts under Nixon.) "He had a problem with Mr. Perot's character," a Pentagon official explained to me.

Just as it appeared that Perot would be shunted into obscurity, the hostage issue suddenly surfaced again. Six previous government investigations had concluded that there was no evidence of live prisoners. But the Reagan administration announced that it would attempt to resolve the POW-MIA issue at last. The effort, however, had an undesired political effect. The National League of Families of American Prisoners and Missing in Southeast Asia, the principal group devoted to the question, which was granted quasi-official status, was assailed as a betrayer by a new, volatile faction. This motley collection of right-wing fund-raisers, soldiers of fortune, and mountebanks was dubbed "the Rambo set" by the administration officials in charge of the issue. On the border of Thailand and Laos, dozens of "forays" by middle-aged adventurers in fatigues were claimed. But the only live prisoner they captured was Ross Perot.

The billionaire became enthralled with the intrigues of the Rambo set. Finally getting himself appointed to a presidential post, the President's Foreign Intelligence Advisory Board, he began to "agitate" about their plots and sightings of MIAs, according to a Reagan administration official. "This crowd funneled things into Perot," he told me. The split between Perot and the National League, which had generally approved his efforts under Nixon, was irrevocable. They were concerned with the return of remains, but Perot derided them as mere "bones." He wanted the heroism of rescuing hostages.

In 1984 Bobby Garwood, an American soldier who had defected in Vietnam but had been returned, filed his court-martial appeal to the Supreme Court. He now claimed that he had seen live prisoners, though no evidence was ever produced. "That got Perot's interest," remarked a Reagan official. And Perot hunted after his fantasy quarry relentlessly. In 1985 the *Detroit Free Press* reported that Perot had financed twenty secret "forays" to free POWs—none of which yielded anything.

The Rambo set provided a crude but fantastical ideology that Perot readily accepted to explain why no MIAs were forthcoming: government conspiracy. Thus there was a reason for the frustration, and an even larger moral purpose to be served. The accumulation of highly specific but always evanescent detail on live prisoners was now matched by a pile of "facts" proving the conspiracy. Not only must the prisoners be found; the official corruption that prevented their discovery must be rooted out. The American people, no less than the MIAs, are hostages.

In 1985 Perot got entangled in a bizarre fracas that revealed his dependence on the Rambo set and impelled him to try to recruit Vice President Bush. Two former Green Berets, Major Mark Smith (also known as "Zippo" for having ordered a napalm attack on his own position) and Sergeant Melvin McIntire, claimed to have found startling new evidence about MIAs. A Pentagon investigation determined their information to be "either hearsay information from sources that could not substantiate the sightings, information that simply did not relate to Americans missing or unaccounted for in Southeast Asia, or information about an Army officer who died in captivity in 1961." Smith and McIntire angrily responded by filing a lawsuit against President Reagan charging him with failing to act to liberate the POWs.

The two men traveled to Beirut and Singapore for surreptitious meetings with Robin Gregson, a mysterious British businessman who claimed to have a 240-minute videotape depicting thirty-nine POWs in a chain gang, yoked together, iron collar to collar, digging gold from a mine. But the video had a price. Perot, in constant contact, was eager to pay it. For this market of one, Gregson appraised the tape at $4.2 million. Perot wanted only to know where to send the money. He even went to Vice President Bush to tell him all about the coming breakthrough. Unfortunately, Gregson was jailed in Singapore for fraud. The credulous Perot put up $100,000 bail and offered $45,000 to a witness Gregson had fleeced as an incentive not to testify. Then, just when Gregson was supposed to close the deal, he declared that he had burned the tape, accusing the U.S. government of betrayal of the POWs. Perot stepped forward to explain that Bush had commissioned him from the start: "I was asked by our government to pursue this thing, to get the tape if it existed, and I said fine, it's a long shot, but I'll be glad to do it." "I'm sure," immediately replied Marlin Fitzwater, Bush's spokesman, "he [Bush] didn't ask him to make payments." But Perot continued to insist that the tape existed: "The fact that we have one American, a Special Forces major, who says he has seen the tape, makes it more than just some bogus thing floating out there in Asia." Perot's willing suspension of disbelief reflected his demand to play a central role in the drama.

Undeterred by the Gregson debacle, Perot pressed

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Naval Gazing

It's now well known that Ross Perot pulled every string he could to get out of the Navy at the close of the Korean War. It's less well known that he's weirdly obsessed with the institution—and anything else that smacks of military power. EDS, the computer company he founded and later sold to GM, borrowed its rules and customs from the armed forces. Men were required to dress in a dark suit and tie and a white shirt. They were forbidden to grow facial hair. (An employee who was an observant Jew once successfully sued for reinstatement after he was fired for wearing a beard.) Drinking during work hours was strictly prohibited. Women were scarce and homosexuals not allowed. The company required new recruits to take drug tests, and administered lie-detector examinations to those accused of misconduct.

Perot directed his recruiters for EDS to search for new hires at places like Fort Dix, Camp Lejeune, and Pensacola Naval Air Station. Teams of employees at EDS boosted their esprit de corps with nicknames like "The Wild Bunch," "The Dirty Thirty," and "The First Wave." The special force of programmers sent into combat against malfunctioning Medicare and Medicaid disbursement systems—which Perot made his first fortune managing—wore red jumpsuits. These platoons planned and executed their tasks like military operations. They would call the potentially hostile employees into one room for a briefing. While the civilians were being informed about the changes, an EDS rapid deployment force would seize the computer room as a beachhead and, according to Todd Mason's biography, go about "securing" essential equipment and files.

Perot's attempts to whip other corporate outfits into shape have often met with frustration. In 1971 Perot tried to rescue duPont Glore Forgan, a troubled Wall Street brokerage house. He was unsuccessful, in part because of the clash between the paramilitary environment of EDS and the civilian one of Wall Street. Perot attempted to stamp out blue shirts, short workdays, cocktails at lunch, and other harbingers of lax discipline. He hired 600 ex-military officers, whom he sent to a training academy in L.A. They practiced salesmanship in the mornings and crammed for their broker's licenses in the evenings; as in the Army, they signed contracts obligating them to work off their training costs before leaving the company. But the vets failed, and Perot lost some $60 million before duPont filed for bankruptcy.

Today former POWs and the widows of POWs are among the coordinators of the state petition drives that serve as his surrogate campaign offices around the country. In April Perot told Larry King that he was staffing his campaign in his usual way, finding people coming out of the armed forces. "They're just too good to be true," Perot said. "Virtually every—I think 100 percent of the people we've hired are people who have just been released from the armed forces who were in Desert Storm." His stand-in for vice president is Admiral James Stockdale, a POW and Congressional Medal of Honor winner. But, according to one source, Perot's personal preference for a running mate is General Norman Schwarzkopf, whom he idolizes.

The origins of Perot's military fascination remain cloudy. There is no military tradition in his family. As a youth in Texarkana, however, he was a zealous member of the Boy Scouts of America, advancing to the rank of Eagle Scout in sixteen months. When he thought he had lost his certificates and medals, he zipped through the course again. Both sets are now displayed at the Perot Scout Center in Texarkana. Perot makes a studied effort to look like a Navy officer. He has worn a crew cut since his Navy days; his shoes "are shined to a polish you can't believe," in the words of one associate.

Visiting his office is "like entering a military compound—well-built guys with crew cuts everywhere," according to a recent visitor. Inside, Perot's quarters are filled with Navy regalia. For a joke, an EDS employee once boxed up Perot's Navy paraphernalia and replaced it with his own Marine Corps stuff. Perot reportedly took the joke well. One of the Norman Rockwell paintings on display in his office is the *Homecoming Marine.* It is surrounded by eagles of every shape and size. Other exhibits include Iwo Jima miniatures, paintings of POWs, other Vietnam memorabilia, as well as a painting of Colonel "Bull" Simons, the leader of the rescue of two EDS employees from an Iranian prison in 1979, and Simons's pistol from the mission.

Ken Follett's sycophantic book on the jailbreak, *On Wings of Eagles,* captures the paramilitary atmosphere of EDS. Perot seems almost pleased that the hidebound bureaucrats in Washington fail to help his jailed men, so he can plan a clandestine rescue operation himself. He sleeps on the floor of his office for days, making phone calls in the middle of the night and barking out orders from his improvised command center. Once he decides on a rescue, Perot calls in six of his toughest men and asks them to volunteer for the mission. Being EDS material, all sign on. "Perot was just so proud of them," Follett writes.

The wonder is that given this bent, Perot was so miserable in the Navy. The inescapable conclusion is that he loves military culture, so long as he is the one giving the orders.

Perot's martial fetishism would be merely amusing were it not for its frequent intrusion into civil politics. He doesn't have much affection for "that dang Constitution," as he called it on C-SPAN in March. "Why are they winning?" he asked rhetorically, of the Japanese and Germans on "Good Morning America" last fall. "They got new constitutions in 1945. This was at a time when the Industrial Revolution had occurred. Our Constitution was written 200 years ago, before it occurred." Faced with the drug crisis in Dallas, Perot advocated house-to-house searches in black neighborhoods, prison camps, and no bail. "You can simply declare civil war, and the drug dealer is the enemy," he said on the "Today" show in 1989. "At this point, there ain't no bail. You go to POW camp. You can deal with this problem in straight military terms.... We don't have to have military troops do all this, but we can apply the rules of war." A Perot presidency promises more in the same vein.

JACOB WEISBERG

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on. Having secured the presumed movie rights, but then having lost the movie, Perot tried to pre-empt the Reagan administration and Congress as the leading man. His chief promoter for the role was Representative Bill Hendon, a Republican from North Carolina, who had participated in the meetings with Gregson. Hendon had become obsessed with the notion that the government was covering up its own conspiracy not to find the prisoners. He delivered eighty files to a House task force, which reported in 1984 that "there is no government cover-up of information on live prisoners." A year later the House Select Committee on Intelligence reaffirmed the conclusion. But Hendon continued to harp on conspiracies and raise money for various ephemeral front groups of the Rambo set. One of them, the so-called POW Policy Center, sent out an appeal for contributions to a fund that would offer $1 million in gold for each POW. The letter read: "We plan to purchase 10,000 copies—in the Vietnamese language—of hit movies like Rocky, Indiana Jones, and Kung Fu, and intersperse our reward offer into the videotapes."

Hendon formally proposed that Congress authorize a "Perot Commission." The resolution included a poll finding: "73 percent of the American people believe the North Vietnamese are still holding American prisoners of war." Perot demanded that his commission be invested with the power of arrest.

In 1986 General Eugene Tighe, former director of the Defense Intelligence Agency, delivered his report on POWs to Congress. He dismissed charges of cover-up. On the question of whether there were prisoners still being held captive, he said: "No one knows the answer." Thus the seventh investigation came no closer to providing evidence of live MIAs than the others. As a witness before the same committee that had just heard Tighe, Perot claimed to possess the names of sources who knew that the POWs were alive, but would neither produce them nor give any reason why he wouldn't. "Certainly," he testified, "the evidence is overwhelming that people are there." He advanced himself as the one to find them. But the committee voted down the Perot Commission—a notion opposed by the National League, the administration, and almost all representatives, Democrats and Republicans alike.

Rebuked, Perot staged a guerrilla raid to recapture the issue by a sudden flight in March 1987 to Vietnam. "I still believe we left men behind," he announced, claiming that his trip was taken at the request of the president. Shortly after his landing back home, though, the White House released a terse statement: "The government was not aware that Mr. Perot had gone to Vietnam until after he had returned." The National League also made a statement: "Mr. Perot has not contacted the League to provide the families of the missing men with any information." But Perot insisted to the White House staff that he present his findings to Reagan. He was ushered into the Oval Office, where he proclaimed, according to an administration official, that about 300 POWs were alive in Laos, and was promptly ushered out.

Perot, out of the play, turned to Bush. Perhaps, he suggested, he should offer to buy Cam Ranh Bay as a form of ransom. "It's just an idea," said Perot. Bush rejected it, and Perot raised the ante, taking up the popular notion of the Rambo set of offering $1 million per live prisoner. And he demanded to study intelligence files in order to prove his theory of government conspiracy and cover-up. Bush granted him access. The files showed nothing. And Perot continued to rail about conspiracy. Bush cut him off. Reagan cut him off. Weinberger cut him off. Frank Carlucci, the national security adviser and then Weinberger's successor at Defense, cut him off. General Colin Powell, Carlucci's successor at the National Security Council, cut him off. The bitterness against Perot was uniform and intense. One of his responses was to renege on his $2.5 million pledge to the Reagan Library. Another was to redraw his will. "If I'm killed," he speculated, "my will is written so that the bulk of the estate goes into the fight, the fight to get back our men, and the fight to expose what was done to keep them in Communist jails. So my death won't benefit anyone."

Perot retreated deeper into the thicket of conspiracy theories. He absorbed much that was elaborated by Daniel Sheehan, the leader of the radical left-wing Christic Institute, about a vast conspiracy at the center of which was a drug-running, assassinating desperado. Who was that desperado? None other than Richard Armitage, the assistant secretary of defense in charge of the POW-MIA issue. Perot also began to imbibe the concoctions of Scott Barnes, the author of a thick tract filled with highly detailed plots titled "Bohica," a codename for a secret military expedition. Barnes claimed to be an ex-Green Beret and intelligence agent, who swam the river between Thailand and Cambodia, photographed a live prisoner, then discovered POWs in Laos and was ordered by the CIA to kill them. In fact, Barnes spent most of his time in the Army held in detention before being discharged; there is no river between Thailand and Cambodia; and he produced no proof about the CIA assassination plot. The NSC issued two official statements on his "fabrications." And Colonel Joseph Schlatter, the chief of the special office for POWs and MIAs at the Defense Intelligence Agency, in a letter to the National League, described Barnes's assertions as "nothing more than a collection of his fantasies."

Barnes linked his tales about Armitage to two business failures, lending the conspiracy an aura of factuality: the Australian-based Nugan Hand Bank, which did have ties to drug lords and did have former U.S. intelligence operatives in its hire; and the Hawaii-based Bishop, Baldwin company, whose chairman, Ronald Rewald, vainly defended himself against charges of massive fraud by claiming that his firm was really a CIA front. Barnes added that he had been approached by the CIA to assassinate Rewald so that he wouldn't talk. At the center of the octopus, Barnes insisted, was none other than Armitage, manipulating these far-flung enterprises for his drug deals.

Perot demanded that the Senate take Barnes's testi-

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Amendment Angst

By Albert Shanker, President of the American Federation of Teachers

It's a presidential election year again, so I'm sure to be asked over and over, "Mr. Shanker, how important do you think education issues will be in this year's election?" My usual answer has been, "I wish they would be, and they seem to be now. But as we get nearer to election day, the voters will narrow their thinking down to two issues: Who's going to do a better job with the economy, and who's tough enough to take on the next international bully who comes along?

This year it's different. I predict that education issues will play a decisive role in the election. I'm not talking about the usual issues, but some new ones. Take the current front-running candidate, H. Ross Perot. He was the chairman of a Texas school reform commission. One of his major proposals was "no pass, no play," and it was adopted into law. Students who didn't pass their academic subjects couldn't participate in school athletics. What was the result? Governor Mark White, who had appointed Perot and championed the reform, lost his bid for re-election. He was defeated by a massive coalition made up of coaches, parents whose kids were doing poorly in academics and who were banking on an athletic scholarship to get them to college, fans of school sports and most of the principals and assistant principals who got their present jobs after two losing seasons.

Still, even though the law passed, schools found many ways to get around it. And the law hasn't exactly caught fire outside of Texas. I wouldn't be surprised if, during the campaign, Perot were to propose a "no pass, no play" constitutional amendment. Maybe not. In speaking recently about the proposed balanced budget amendment, Perot said that an amendment is an excuse not to do anything. Which brings me to President Bush.

We could amend the Constitution to provide that, by the year 2000, American students will be the best in the world.

As we all know, President Bush wants American students to be the best in everything by the year 2000. That will be very tough, but teachers are working very hard to make this come true. Everyone thought this goal would be hardest to achieve in math and science. I now think we'll have the most difficulty in history. Our kids are so far behind that most of them don't know in which half-century World War I took place or who Joseph Stalin was. Schools would have had a hard enough time getting kids to catch up on all this, but now they also have to teach women's history, African history, labor history, Hispanic history, etc. What started as a very tough job becomes impossible when you keep adding to what kids have to learn.

Now President Bush proposes to make the job of history teachers even tougher. Very few of our students now know the U.S. Constitution and the amendments, but if President Bush has his way they'll have to learn four more constitutional amendments. That's right — four! Bush wants constitutional amendments to prohibit abortion, to limit congressional terms of office, to prohibit flag burning and to balance the budget. I've been deluged with protest mail from history teachers. After all, not counting the first 10 amendments — the Bill of Rights, which came on the heels of the Constitution — we've added only 17 amendments in over 200 years. If each president had succeeded in getting four amendments added, we would now have 164 to learn.

Also, it takes time for constitutional amendments to be ratified by the states. It has taken as little as a few months and as long as more than 175 years for our other amendments to become ratified. Waiting for ratification of, say, the balanced budget amendment could be our leaders' newest excuse for not dealing with the deficit.

Teachers and students will not be the only ones bearing the increased burden of four new amendments. I shouldn't be mentioning this just as President Bush goes to the environmental summit in Rio, but many forests will have to be cut down to provide new, amended textbooks to accommodate those amendments. Also, an entirely new set of interpretations will be needed. Up to now, teachers have explained how short and simple our Constitution is in comparison with those of other countries. We even taught that most of the constitutions that were long, complicated and specific didn't work. Teachers will now have to explain why it is that we were able to get along quite well with a relatively short and simple Constitution for over 200 years, but at the end of this century we needed a Constitution more like those that had failed in other countries all over the world. Why were we able to govern our country for 200 years with mere laws, but now we seem to have to amend the Constitution to get things done?

Of course, if passing amendments to the Constitution proves to be an effective way to get difficult things done, we could amend the Constitution to provide that, by the year 2000, American students will be the best in the world. That would arm our schools and teachers with the power they need to get the job done.

Or perhaps we can keep the Constitution short and simple after all. Instead of all these proposed amendments, why not just have one that requires politicians to keep their campaign promises and to have the courage to do what's good for the country?

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mony, which it did and then filed it on a dusty shelf. The CIA, for its part, investigated his charges about Nugan Hand, concluding that there was no larger conspiracy. Admiral Bobby Ray Inman, the CIA's former deputy director, who conducted the study, met privately with Perot to try to allay his suspicions. "I knew they would keep you in the dark," Perot told him, according to *U.S. News & World Report*. "Barnes is credible and knows what he is talking about," Perot informed the Prescott, Arizona, *Courier*, a newspaper near where Barnes lives that has reported on him. Perot acknowledged that he has spoken with Barnes "numerous times," and he asserted that Barnes "has been harassed and treated miserably by the U.S. government."

"Perot had a tremendous amount of evidence already," Barnes told me about the conspiracy and cover-up. "Once he gets in the White House, he'll start to clean out. He'll get tough on this top brass involved in dope dealing. Generals, admirals, assistant secretaries of defense, they don't want him in.... They better look out. Colin Powell would be history. It goes directly to Bush. We know that.... He did nothing to get the POWs home. There's a cover-up. The evidence is overwhelming." (Barnes, by the way, says he still talks regularly with Perot. The last time, he says, was about three weeks ago.)

At roughly the same time that Perot was being thwarted in his bid to take command of the POW issue, he was also being frustrated at General Motors. The mythology of Perot vs. GM is that of the innovative individual who attempts to reform the unresponsive bureaucracy. But the *Los Angeles Times*, in a story on June 15, punctures this popular tale. Perot's efforts to maximize profits for his merged company and for his executives, at the expense of GM, were halted amid much rancor. His response was to plot secretly to "nuke" the corporation "by shutting down its computer systems and thereby paralyzing its auto production," according to the *Times*'s report. Perot's own executives rebelled against his destructive ploy. Finally, GM bought him out. The pattern of his behavior in both the GM and POW affairs is remarkably similar: when he fails to get his way, he turns vindictive, looking for someone to destroy.

After his GM debacle, the themes all came together at a huge dinner he staged at a Dallas hotel in 1987. Ostensibly, the gala was a homecoming, to welcome the hero from his "foray" in Detroit. A hotel clerk dressed in a POW's fatigues was literally chained to the hors d'oeuvre table. "The house lights dim," reported David Remnick in *The Washington Post*. "Perot walks down the center aisle flanked by two uniformed combat soldiers.... The soldiers escort him to a makeshift throne on the stage.... The set decorations are a dark dungeon cell and an angry-looking banner behind him written in Arabic.... At one table a woman can no longer contain herself. 'Run Ross! Run for president!' she shouts.... The band pumps out 'Hail to the Chief,' a gigantic American flag unfurls above the stage, and Perot rises from his throne."

In 1989 the battle against the conspiracy entered a new phase when Armitage was nominated to be secretary of the Army. Two years earlier Perot had told the Associated Press: "I have never said a word to anybody about drugs and weapons and Armitage." Now he mobilized against him. Perot lobbied members of the Senate, generals in the Pentagon, and members of the press, showing them a picture of a nude Vietnamese woman with whom he implied Armitage had an affair. (David Rogers and Jill Abramson reported in *The Wall Street Journal* on June 12 that Perot had hired a private investigator to seek out damaging material on Armitage.) When the charges against him were first raised, Armitage, fearing he was embarrassing the government, offered his resignation to Weinberger, who refused it. "You've done nothing wrong," he told him, according to a Pentagon source. Armitage then met with Perot, who demanded he quit. "You've compromised yourself," Perot insisted.

After Armitage's nomination, Perot went to the FBI, elaborating his stories about Armitage. "We went to extraordinary lengths to check out the allegations," Buck Revell, the FBI agent in charge of bureau investigations in Washington and now the FBI chief in Dallas, told me. "There was a great deal of smoke. I didn't want there to be any questions. We got to the bottom of everything we could get to the bottom of. We found nothing about drug smuggling and cover-up on MIAs." Revell presented his findings to Perot. "As long as it's been checked out that's fine with me," Revell says Perot told him. But Perot continued to spread the rumors about Armitage and to show the picture of the naked woman. Partly because of the pressure that Perot applied, Armitage declined the nomination, though nothing had been proved against him.

While Perot was waging his little war against Armitage, his representative, Harry McKillop, was shuttling back and forth to Vietnam, thirteen times, presumably in search of MIAs. But Patrick Tyler reported this month in *The New York Times* that there was another agenda: Perot was wringing a monopoly commercial concession from Vietnam in 1990 in the event that relations were ever normalized. *Business Week* followed with a report that McKillop told a ranking member of the Vietnamese Foreign Ministry: "We are satisfied with the MIA issues and can put that behind us. The time is ripe for American companies and [Perot] himself to invest in Vietnam. We should be concentrating on business and economic relations." Was Perot's crusade a mask for his finagling? "This is not true," Perot replied when the *Times* story was published. And he suggested, according to Tyler, "that Vietnam's politburo had made a determination that it could curry favor with the Bush administration ... by sabotaging Mr. Perot's putative run for the White House."

Perot now talks openly about assassination plots against him. "It's a deep concern of his," Barnes told me. "He's going to be the next president if he's not assassinated." In an interview with C-SPAN this year, Perot claimed that he was on a North Vietnamese hit list: "They used to come to Canada and give a list of people to kill, and I was on that list." The FBI, he went on, "had infiltrated the group, knew ... whose life was threatened." It

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was "all public record." But an FBI spokesman said the bureau had "never heard of" the plot. Then Perot told *The New York Times* that unnamed sources in the CIA informed him that he "might quietly disappear" for pursuing the MIAs. The Viet Cong, he charged, had also asked the Black Panthers to murder him. Perot's logic was this: he alone could make a deal to free the prisoners, and even forge a business arrangement, with those who were his purported assassins, who were at the same time trying to destroy him to win concessions from George Bush. Or something along those lines.

With each new story, Perot's denials have mounted. "Never once" had he financed a "foray" for MIAs, he told *Newsday*. All the memos about his offers of assistance to the Nixon administration, excavated in the National Archives, "were fabricated to help Republicans politically," he told C-SPAN. All his efforts on behalf of POWs were taken at the behest of presidents: "I did not ask to do it. I did not want to do it." But Perot was going to get his chance to explain everything publicly on June 30 at a Senate committee hearing on the whole history of the POW-MIA issue, chaired by Senator John Kerry, a decorated Vietnam veteran. Boris Yeltsin, the Russian president, responding to the committee's inquiry, even revealed that live prisoners captured during the Vietnam War were moved to Soviet labor camps and that some might still be alive. It was the first real breakthrough. If any definitive answer could be given to the question of MIAs, Yeltsin might give it. But this makes him, not Perot, the rescuer.

Perot was carefully courted to testify by Kerry, who spent hours with him. Perot was still obsessed with conspiracies and cover-ups. In March, when committee staffers met with him in his Dallas office, he rambled on about Armitage and flourished the picture of the nude Vietnamese woman, which he keeps in a safe. He insisted, according to a committee source, that Rewald had been unjustly imprisoned. A day before he hired Ed Rollins and Hamilton Jordan as his handlers, he agreed to appear. Perot demanded and received classified clearance to review secret documents. (In May he told *Newsweek* editors in an off-the-record session that there were about thirty live prisoners in Laos. "The number he gives depends on the time of day," said a committee source.) But on June 15 he sent Kerry a letter declining to appear, charging in advance that the hearing would be a "political circus." So he rejected the one opportunity he had to testify under oath on the question he had defined as paramount: "I have one mission in life," he claimed in 1987, "and that's to get to the bottom of the POW-MIA situation." Suddenly, it seemed, it was not the MIAs but Perot's search for the MIAs that mattered.

Perot's balking at the Senate Committee should surprise no one. ("If I were Ed Rollins," said a committee source, "I'd probably do the same.") Perot's obsessive mentality has its own momentum, which must never be derailed, least of all by the slow, cold sifting of empirical fact. Perot must always expose new layers of conspiracy and always reach for higher authority to strike it down. Whenever his claims are unproven or disproved, he simply leaps ahead. He must maintain his relentless progress, or face the collapse of his elaborate fantasies and be exposed himself. He trusts no one with independent power to tell him the truth—not the FBI, the CIA, the Senate, the Pentagon, or the White House. Only he himself can absolutely confirm his own reality. And the only way Ross Perot can ultimately do that is to become president of the United States. •

Has environmentalism blown it?

GREEN CASSANDRAS

By Gregg Easterbrook

The distinction between a bicycle accident and the end of civilization has seldom been so blurred as at the Earth Summit, recently concluded in Rio de Janeiro. There, discussion of palpable threats to nature mixed in equal proportion with improbable claims of instant doom. Environmentalists, who would seem to have an interest in separating the types of alarms, instead encouraged the confusion on doctrinal grounds, namely that all environmental news should be negative. This worldview may be appropriate for fund-raising and faculty sherry hours, but it can backfire in the realm of public policy.

Consider the interplay between global warming hype and the Earth Summit. Most U.S. pollution controls exceed those of other nations, including Japan and Western Europe. Carbon emissions are the one important environmental category where America is the worst

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offender. So in the conferences that preceded Rio, environmentalists and Southern diplomats relentlessly hammered Washington about the greenhouse effect, because this is where the United States can be made to seem the wolf, all others gentle ewes.

This swirl of overstatement managed to convince everyone, including the White House, that global warming was the principal issue to be addressed at Rio—though artificial warming is strictly a speculative threat, secondary or even tertiary compared with confirmed problems such as species extinction or, in the Third World, unsafe drinking water and poor sanitation. When it came time for Northern governments to offer the South new funds for addressing the low-profile issues that really matter, the rich countries (even the Scandinavians) said, "Sorry, we've made this huge commitment to greenhouse controls, no money left over." It may be years until the moment is ripe for the Third World to ask again.

There is something bordering on indecent about the world's heads of state gathering to bestow many tens of billions of dollars upon a hypothetical ecological concern like greenhouse warming while not lifting a finger to assist the 3.2 million impoverished Southern children who die each year of diarrheal diseases communicated through impure water. Yet this ordering of priorities is in sync with current environmental rhetoric.

Consider also last winter's ozone scare. NASA made an announcement that sounded as if the agency were saying that a stratospheric ozone hole had been detected over the populous regions of North America. (The ozone breaches so far have occurred above the Antarctica, where there is little life to harm.) Breathless network reports and magazine covers followed, adorned with the photos of blondes in bikinis that are necessary for coverage of this issue. Senator Al Gore of Tennessee declared the findings "an immediate, acute emergency threat ... the single most important issue facing this country and this Earth."

It's just that, ummm, there never was any Northern ozone hole. What NASA monitors found were precursor chemicals that are sometimes, but not always, associated with ozone depletion. No actual breach had been detected, and none developed. The precursor compounds can derive from CFCs; they can also stem from volcanism, and last year there was an eruption of unusual power at Mount Pinatubo in the Philippines. These annoying details were dismissed in the name of a good panic.

This is especially frustrating because the straightforward case for CFC abolition (that there's nothing to fear now, but why gamble with radiation?) is sufficient. Increasingly, environmental advocates seem to think reforms can be sold only with benevolent Big Lies. If it is someday shown that stratospheric ozone trends are primarily natural—a possibility—the doomsday proclamations about depletion will be used to ridicule the premises of environmentalism.

It's worrisome that Gore in particular, the bright light of political environmentalism, seems increasingly to believe that the only correct stance is to press the panic button on every issue. For instance, in his book *Earth in the Balance*, Gore describes in affectionate detail his association with the late ecologist Roger Revelle. Revelle is the modern father of greenhouse science, having in the 1950s pioneered the study of atmospheric carbon dioxide. As a Harvard undergraduate Gore met the great researcher; later he often called on Revelle to testify before congressional hearings. Gore cites Revelle as leading him toward his view that an emergency program of gas reductions is required because the greenhouse effect is "extremely grave ... the most serious crisis that we have ever faced."

Earth in the Balance does not mention that before his death last year, Revelle published a paper that concludes, "The scientific base for greenhouse warming is too uncertain to justify drastic action at this time. There is little risk in delaying policy responses." A lifetime of study persuaded Revelle that carbon emissions should be restricted but are far less hazardous than initially feared. That position isn't bleak enough for current enviro cant, so Revelle is being eased out as a hero of the movement. As is the English scientist James Lovelock, co-author of the Gaia hypothesis and once an environmental demigod. Lovelock has become persona non grata by saying that the ecosphere is so resilient no amount of human malfeasance, including nuclear war, could end life.

Gore occupies a precarious position in the web of ecological events. His commitment to environment reform is genuine; he became involved long before the issue was trendy. And his reputation for intellect and dedication is deserved. But increasingly his environmental oratory is out of control. In Gore's standard after-dinner talk, declaiming coming ecological catastrophes, he works in continental drift, chaos theory, and even black holes.

Gore, and environmentalists generally, find it especially painful to acknowledge that there has been significant ecological progress on most fronts in the United States in recent decades. Air, water, toxic, landfill, and sewage pollution are steadily declining, even as population increases (Los Angeles today has significantly less smog than it did twenty years ago); the number of trees is greater than at the turn of the century; CFCs are being abolished; driftnet fishing, Alaskan and offshore oil exploration are down or out; energy use per dollar of GNP is falling; the list goes on. There's a weird sense that this good news should be hushed up. Shouldn't it instead be offered to the public as happy proof that environmental efforts pay off in surprisingly little time?

Lately Gore and the distinguished biologist Paul Ehrlich have ventured into dangerous territory by suggesting that journalists quietly self-censor environmental evidence that is not alarming, because such reports, in Gore's words, "undermine the effort to build a solid base of public support for the difficult actions we must soon take." Skeptical debate is supposed to be one of

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the strengths of liberalism; it's eerie to hear liberal environmentalists asserting that views they disagree with ought not to be heard. More important, the desire to be exempt from confronting the arguments against one's position traditionally is seen when a movement fears it is about to be discredited. Why not defuse environmental rhetoric before an implosion?

In exemplary doublespeak, some enviros put forth that dissenting views should be suppressed in the name of balance. Gore, for example, asserts that reporters should attach little weight to scientists who question greenhouse emergency claims, because perhaps 2 percent of credentialed researchers feel that way. This simply isn't true. Greenpeace recently surveyed climatologists, doubtless hoping for evidence of global warming panic; instead it found that the largest group of respondents, 47 percent, believe a runaway greenhouse effect is nearly impossible. The two source authorities of the greenhouse business, reports by the National Academy of Sciences and the U.N.-affiliated Intergovernmental Panel on Climate Change, contain hundreds of pages of credentialed misgivings. Recently I attended the climate change sessions of the annual meeting of the American Association for the Advancement of Science. There was clear agreement that recent temperatures are up, that they might or might not continue to go up, and that the sky is blue.

One factor in environmental overstatement is the belief that only end-of-the-world locution can hold public attention. This assumption is wrong. Voters care about many issues that pose no threat to life, and they would continue to support environmentalism even if the rhetoric were more veracious, because the plain-spoken case for the environment is strong enough. At any rate, end-of-the-world environmental issues have been in short supply recently. Toxic wastes once seemed like a threat to general well-being, but experience has shown their impact locally confined and nowhere near as severe as assumed. Ozone depletion someday may imperil life, but with CFCs being banned there's little left to advocate, unless you know of a means to plug volcanos. Global warming holds out the appeal of a sweeping calamity, a bad science fiction movie come true. Enviros now seem almost to be rooting for temperature increases.

Well, enviro fund-raisers are, at least. As the movement has advanced from a low-budget operation to a branch office of the status quo, the need to acquire ever larger sums has driven many green groups to rely on direct mail. The direct-mail business is based on scare tactics, conspiracy theories, bogeymen, and preposterous levels of exaggeration. Some enviros now eagerly promote (to credulous acceptance in the big-deal press corps) the notion that EPA administrator William Reilly is a mere pawn before shadowy forces on Dan Quayle's Competitiveness Council. In fact, the council is a pipsqueak organization, and Reilly just persuaded Bush to go to Rio over the combined objections of numerous leading administration figures. But turning on a conspiracy theory, the notion makes for snazzy direct mail.

Supposedly Reilly recently was bested by Quayle's council in the writing of a Clean Air Act regulation regarding toxic emissions. Front-page stories devoted many paragraphs to interpretation of the event as a sign of impending environmental doom, while skipping glissando over what exactly happened, except to say, as *The New York Times* did, that Quayle's action granted companies the freedom to "increase air pollution without prior notice." Strictly speaking that is true, but only in the sense that the *Times* is free to publish libel without prior notice; legal penalties make it unlikely this will happen. The regulatory question was whether companies with valid air permits must go through a formal public hearing sequence to obtain a new permit each time they want to install new factory process equipment. Reilly thought they should, Quayle thought they shouldn't. Unaltered by the dispute, and unmentioned in the stories, was that if factory process changes do increase pollution, companies must disclose that fact and pay fines.

Once you know that, the incident is a mere technical skirmish about how best to minimize regulatory transaction costs. But what if enviro attacks on Reilly succeed in convincing Washington that he has lost power, and a self-fulfilling prophecy results? Thinking in terms of what may sell to the bulk-rate donor list engages the risk that, like politicians believing their own press releases, environmentalists will believe their own direct mail. This in turn raises the worst aspect in which ecological hype may backfire—the New Right parallel.

At one time the New Right consisted of underfunded voices crying in the wilderness. Then Ronald Reagan came to power and made some of the changes his backers favored. Rather than celebrating, many on the New Right became yet more strident, if only to differentiate themselves from a mainstream that had shifted somewhat in their direction. A dynamic took hold in which numerous conservative factions were more concerned about crazy claims for fund-raising purposes than about the actual condition of the real world. The public ceased believing conservative alarms: unstoppable as the New Right seemed in the early 1980s, it now borders on insignificance.

Enviros today risk the same progression of events. Once they were disfranchised outsiders, invariably right where industry was invariably wrong. Now the movement is a monied faction of the establishment, with many satisfying right/wrong distinctions blurred by the very reforms environmentalists set in motion. Like the New Right, enviros are evolving an internal dynamic of self-satisfaction based on mutual displays of stridency, with the state of the real world a subsidiary concern. That certainly seemed to be the name of the game at Rio. If environmentalists keep proclaiming that nature is ending when daily the sun continues to rise, they may find the public's "oh, shut up" point can be reached on environmentalism, too. •

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BOOKS & The Arts

Stanley Kauffmann on Films

Gray Power

Most of the comment about Spalding Gray, admiring though it rightly is, seems to me slightly skewed. He is praised for his heterodox, adventurous films, but that adventure of his begins in the theater. Why is **Monster in a Box** (Fine Line) any more adventurous on film than it was on stage? (Likewise his previous film, *Swimming to Cambodia.*) It's assumed that Gray is more daring when he transfers his monologues to the screen because film demands greater visual variety than the theater and because film is inimical to language. Both of these assumptions are dubious (as plentiful examples show). To put it crassly, Gray runs just as much of a risk of tedium in the theater as he does on screen. The risks alter somewhat from one medium to another, but the success in the first venture emboldens the second.

Other one-person shows have been effectively transferred to film, Richard Pryor's and Lily Tomlin's, for prime instances; but Pryor deals in a series of riffs and Tomlin does a series of sketches. In thematically continuous, comic seriousness, I can think of only one forebear of Gray's work, Wallace Shawn's *My Dinner with André*, which, too, was done first in the theater by Shawn and André Gregory, then filmed under Louis Malle's direction. And this is a farfetched choice, of course, because next to Gray, Shawn's cast of two seems immense. But Gray, like Shawn, is earnestly funny and, above all else, articulate.

Gray sits before us at a desk—most of the time, anyway—as a companion, rather than a performer, not really old though with fluffy white hair, and recounts his adventures. He chooses where to begin, then (seemingly) free-associates for eighty-eight minutes. His previous monologue, *Cambodia*, was built around his engagement for a small role in *The Killing Fields.* This one is built around his signing with Knopf to write a novel. He has the monster 1,900-page manuscript on the desk, together with the box in which he carried the growing pile around, as he moved through New York, to Houston, to Hollywood, to the Soviet Union, to Nicaragua.

In all those places, Gray reveals himself as the sort of person to whom odd things happen; but then we see that the real difference between him and others is not really the oddity of the events but that he perceived them oddly and relishes them retrospectively. True, not many of us have been sent to Nicaragua by Columbia Pictures or have been engaged to play the Stage Manager in a Broadway production of *Our Town*, but he makes us feel that even if we had done those things, we wouldn't have picked the fruits of those experiences as he has done.

He begins by telling us blandly that, when his mother committed suicide in 1967, he was off vacationing in Mexico. That opening sets the key: a grim fact put in a bland context. A performer who was out only for boffos wouldn't have mentioned the suicide, and the way he mentions it relies on our understanding of why he gives those two facts almost equal weight. Further, the suicide, which comes up again later, serves as backdrop to this chronicle of a hip Candide.

The strongest element in the piece is also the subtlest. If we ask what the purpose of the monologue is, what it really accomplishes, the answer is before us the whole time. What we are hearing about are some of the events that helped to create the person who is telling us this story.

Swimming to Cambodia was directed by Jonathan Demme, who did as little as possible, relying on Gray—writer and performer—to hold us. Demme's directing (as I recall) conceded very little to the specific difficulties posed for film by Gray's form. Nick Bromfield, however, who directed *Monster*, starts with an inferiority complex toward the theater and a constant need to prove that film can deal with the piece. Every time there's a chance for a sound effect—traffic, earthquake rumbles, whatever—Bromfield lays it on. Every time there's the slightest excuse for a lighting change, sometimes even when there isn't an excuse, Bromfield pounces. And with the editor, Graham Hutchings, he does a lot of that arbitrary cutting from one side to another that TV frets about, in order to avoid the "talking head" charge. When a head can talk as well as Gray's, why not leave it alone as much as you can? Why inflict on it the strictures derived from lesser heads?

Only one quibble about Gray. He performs his piece on a stage in front of an audience (though we see them only at the beginning), thus he talks to them throughout. But from time to time, he

FILMS WORTH SEEING

Howards End. *A treasure. Forster's spirit and intent are well sustained by the adapter and director, and the acting can only be called a blessing. (Reviewed 3/23/92)* **The Last Butterfly.** *Part of the Human Rights Watch Festival. Directed by a celebrated Czech, it tells the story of a French mime forced to perform in Theresienstadt. A bit soggy but irresistible. (6/8/92)* **November Days.** *Part of the same festival. The fall of the Berlin Wall as seen in East and West Germany by the astute Marcel Ophuls. (6/1/92)* **Pepi, Luci, Bom.** *Pedro Almodóvar's first film. Will amuse all those who think he's been getting a bit tame lately. Very wild, mostly witty. (6/29/92)* **—SK**

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looks at the camera, which is especially noticeable when it's directly to his left or right where the audience could not be. These looks are small fractures of the theater effect. If they are supposed to make the film more cinematic, they have the opposite effect. They reveal a worry that Gray should have been above.

Note on the Monster. Gray's novel, the ostinato of his piece, is called *Impossible Vacation,* has been condensed to 228 pages, and has just been published (Knopf, $22). It's a peculiar experience. After seeing Gray on stage and screen, it was difficult merely to read the book: I kept *hearing* it. Like his monologues, it's a first-person narrative and is couched in his customary "voice." For some reason, he has changed the narrator's name to Brewster North, but there is every intent to have us think the book autobiographical, especially since a few episodes—including his mother's suicide—are much the same as in *Monster in a Box.*

From time to time, markedly in the boyhood sections, the writing is lovely. ("I remember being there in bed thinking, or imagining—because back then there was no difference between thinking and imagining...") Very often through the book, the tone is pure Gray—quiet joy at having discovered how to savor life's smaller opportunities as well as the larger ones. Example: he is in a Zen retreat where the diet is only vegetables with brown rice. "I'd never had such a pure and intense taste sensation before. Original sin, I began to think, was not Adam eating the apple but Adam not eating it slowly enough really to enjoy it."

But the colors in the novel are quite different from the monologue. It's as if, when he was preparing *Monster* (and even *Cambodia*), Gray had winnowed out all the dark, troubled, frantic elements and saved them for this book: a lot of heavy drugging; a lot of wandering around the world in search of self, as far as Tibet; a jail term in Las Vegas; gay baths in Amsterdam; performing in a porno film in New York. (North/Gray was born in 1941, and some of these episodes are pure '60s.)

The book's interest—which it certainly has—depends on the novelty and variety of the episodes, as related by the narrator in the wide-eyed yet serene tone of an intelligent man discovering what it's possible to get into just through the accident of living. But inevitably it lacks what the monologues have throughout: the physical presence of Gray himself. •

Robert Brustein on Theater

Awards vs. Achievements

The 1992 Tony Awards ceremonies confirmed once again that the heart and blood, if not the brains, of the Broadway theater is the musical. This magnetic force field is not only expected every night of the year to draw thousands of out-of-towners to the island of Manhattan. It has also been charged with the added burden of keeping millions of television viewers glued to their screens every spring for an evening of awards. As a result, the great bulk of Tony prime time is invariably devoted to extended excerpts, complete with sets and costumes, from all of the nominated musicals, making them the main focus of the event, the source of the most tumultuous applause. To further persuade Nielsen-baked couch potatoes that theater can be as popular as cable TV or network sitcoms, the presenters are almost invariably movie and television stars, some of whom may have actually once acted on stage.

It is true that a number of Tonys also go to straight plays, but compared with the riotous fervor reserved for musical offerings such awards generally seem like an obligation. They are also something of an embarrassment, considering how few serious plays actually open on Broadway each season. (This year's award went to Brian Friel's *Dancing at Lughnasa*—perhaps Tony voters thought it was a play about a hoofer.) Glenn Close, functioning as hostess for the event, even felt obliged to remind the glittering Minskoff audience that "many of the most famous musicals came from plays." On Broadway, Shakespeare is sanctioned for providing the inspiration for *Kiss Me Kate* and Shaw for contributing the book to *My Fair Lady.*

Close, wearing a variety of shimmering gowns for the occasion, including a blue-and-green number that made her look as if seaweed were growing up her arms, was a Tony winner herself (for a part in *Death and the Maiden*). Her acceptance speech credited Amnesty International with helping to foster a world community "where cruelty and abuse don't exist anymore"; she helped to foster some of her own with the zinger of the evening, a paraphrase of Herb Gardner to the effect that "there *is* life after Mr. and Mrs. Rich" (neither *The New York Times* critic nor his theater columnist wife, Alex Witchel, showed much appreciation for her performance). Close nevertheless seemed to share Witchel's weakness for Hollywood hunks, whinnying like a mare over Alec Baldwin (and perhaps inflaming feminists further by introducing Michael Douglas as "my fatal attraction").

The Tony event had its occasional entertainments, few of them rehearsed: Carol Channing squinting like a snow owl in the giant black-rimmed glasses she used to read the teleprompter, Liza Minnelli (who sloshes her sibilants) being forced to speak the name of a choreographer with three esses in it, William Finn giving two largely incoherent acceptance speeches for *Falsettos,* Vincent Gardenia extolling the virtues of *Dancing at Lasagna* (a title nobody could pronounce), Faith Prince commending "the unsustained love" of her husband, the camera's way of catching virtually all of the nominees applauding themselves when their names were mentioned. It was the usual display of egotism, ecstasy, and entropy. But for reasons I'm still trying to understand, I couldn't work up my usual quotient of rage over the ceremony. Perhaps the Tonys have gotten too predictable for sustained indignation.

Although many performers displayed red ribbons symbolizing their sympathy for AIDS victims, there was more implied concern over that problematic patient, the ailing city of New York, which inspired a variety of pep talks both from presenters and winners. Significantly, three of the four nominated musicals were set in the city, and the fourth—*Jelly's Last Jam*—had New York scenes. Everybody's favorite show, obviously, was that nostalgic paean to a more innocent Manhattan, *Guys and Dolls,* excluded from Best Musical because it wasn't new. (It won for Best Revival.) Through reasoning that escapes me, *Crazy for You* collected the prize, despite the fact that its Gershwin score was almost sixty years old.

But nothing about the Tonys makes much sense. It's not just that the judges are self-interested theater people voting their opinions and prejudices, or that the prizes are so clearly designed to boost box office, or that internecine competition is incompatible with a cre-

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ative process based on difference. By recognizing only shows produced within a fourteen block area, the Tonys manage to exclude from consideration (except for a single award to a resident theater—this year the Goodman) about 99 percent of the nation's theatrical activity. This includes the most interesting works being produced in New York.

Among these is **Fires in the Mirror**, a one-woman evening conceived, written, and performed by Anna Deavere Smith at the Joseph Papp Public Theater. Creating monologues out of interviews with twenty-six diverse characters, most of them fiercely antagonistic to each other, Deavere has accomplished the remarkable feat of capturing opinions and personalities in a way that goes beyond impersonation. Even more remarkable, she has dealt with one of the most incendiary events of our time—the confrontation of blacks and Jews following the accidental death of Gavin Cato in Crown Heights and the retaliatory murder of an innocent bystander, Yankel Rosenbaum—in a manner that is thorough, compassionate, and equitable to both sides.

Smith is associate professor of drama at Stanford and a Bunting Fellow at Harvard. She is also a sensitive sociologist, and a gifted actress and mimic. Donning a variety of hats, caps, yarmulkes, cloaks, and accents, she manages to move easily among a large number of people from vastly different backgrounds and temperaments. And although the Crown Heights incident is the detonating cap, it is by no means the only explosive subject in the show. *Fires in the Mirror* is part of a series to be called *On the Road: A Search for American Character*. The title suggests her ambition to bring to the stage a wide spectrum of contemporary types, both celebrated and obscure.

The first half of the evening is devoted to some of those who make up the American character, with Smith speaking in their (mostly Brooklyn) voices: the playwright Ntozake Shange expounding on the nature of the desert with a kind of stoned imperturbability; Gittel Lazerson, a preschool teacher, talking in high nasal tones about how she has to get a black kid to turn off the radio on Shabbus; the playwright-director George C. Wolfe describing how he could be treated as an extraordinary child and a "nigger" at the same time; and an anonymous 13-year-old girl reflecting on how black people are really into hair styles. As if to confirm this, the Rev. Al Sharpton materializes to claim that he copied his own coiffure from James Brown ("the father I never had"), while a Lubavitcher woman named Rikvah Siegel tells of the five wigs she must wear as a woman among Hasids.

Reflecting on race, Angela Davis surprises us by saying she now believes that "race is an increasingly obsolete way to construct community," while a female rapper named "Big Mo" takes after her male counterparts for failing to understand rhythm and poetry. One character who offers no surprises is Leonard Jeffries (Smith collapses into a chair and dons a green African kepi to play him). He boasts about how he was hired by Alex Haley to keep *Roots* honest, and then says he was betrayed when Haley went off to make a series on Jewish history. Jeffries claims to have been tired when he made his infamous anti-Semitic speech in Albany, yet displays his usual paranoia in charging Arthur Schlesinger Jr. with suggesting that "this is the one to kill" just because the historian devoted a full page to him in *The Disuniting of America*. Nation of Islam Minister Conrad Muhammed (Smith in a red bow tie) affirms that the Jewish Holocaust was nothing compared with 200 million people killed on slave ships over a 300-year period. Not only do African Americans win Muhammed's prize for competitive suffering, but "we are the chosen . . . the Jews are masquerading in our garments." Letty Cottin Pogrebin reflects on how if you want a headline, "you have to attack the Jews," though "only Jews regard blacks as full human beings."

The Crown Heights section collects all these tensions into an overpowering conclusion. Through the use of Wendall K. Harrington and Emmanuelle Krebs's

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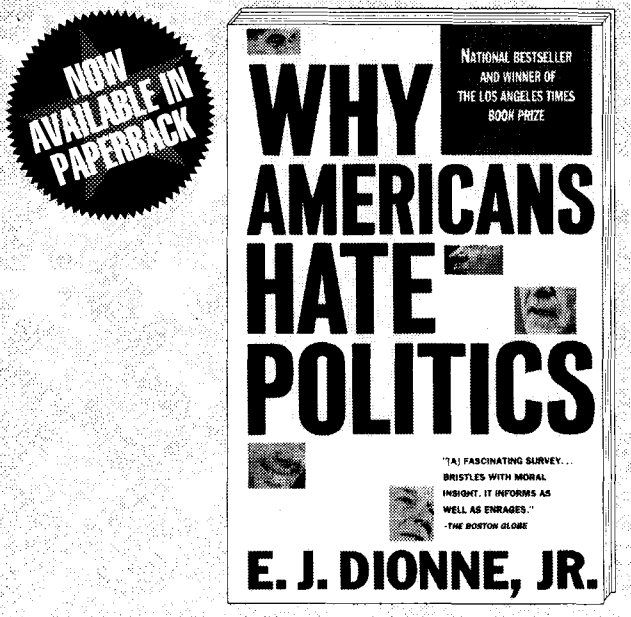
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graphic projections, a series of photographs captures the contorted world of violence, accident, grief, and revenge. Rabbi Joseph Spielman sadly describes how, though Gavin Cato was killed through no malicious intent, angry blacks began running through the streets, shouting for Jewish blood. The anger was fired by rumors that a Jewish ambulance wouldn't help the child and by charges that "they" never get arrested. One anonymous black man sees significance in the fact that the blue-and-white colors of New York police cars and Israeli flags are the same. Michael Miller of the Jewish Community Relations Council, while expressing sympathy for the dead child, agonizes, "But 'Heil Hitler' from blacks? 'You better warm up the ovens again' from blacks?"

The incendiaries stoke these fires. Smug and self-satisfied, Sonny Carson warns of another "long hot summer," and Sharpton, flying to Israel in a media-savvy effort to arrest the driver of the car that struck Cato, announces, "If you piss in my face I'm gonna call it piss, I'm not gonna call it rain." A sharp-tongued Brooklyn yenta attired in a spangled woolen sweater asks, "This famous Reverend Al Sharpton, which I'd like to know, who ordained him?" She adds that black people have nothing to do with their time, "so somebody says, 'Do you want to riot?'"

People on both sides of this conflict can claim to be victims of injustice and prejudice, but the scariest thing about the incident, aside from the absence of leadership and appalling mismanagement by the city, was the tinderbox nature of the community, a condition magnified in Los Angeles. In both riots, the condition can be ascribed to hopelessness and lack of opportunity. One anonymous black boy tells us that there are only two choices for kids like him, to be a D.J. or a "Bad Boy," and with disc jockeys in short demand, the Bad Boys form the armies of the rampage. The most harrowing words, though, belong to the survivors of the dead. Norman Rosenbaum shouts at Yankel Rosenbaum's funeral, "My brother's blood cries out to you from the ground." And Carmel Cato, an exhausted Caribbean, tells of how the death of his child was "like an atomic bomb." The simile is apt in describing his grief and rage, not to mention the grief and rage expressed throughout the country in these inflamed times. *Fires in the Mirror* dramatizes those emotions, and tempers them, with an eloquent, dispassionate voice. •

Price and Prejudice

By Ian Ayres

Forbidden Grounds: The Case Against Employment Discrimination Laws by Richard A. Epstein

(Harvard University Press, 544 pp., $39.95)

On a wintry morning in 1982, I heard Richard Epstein present a paper at Yale Law School arguing that the National Labor Relations Act was economically inefficient and should be repealed. An old-time labor scholar criticized Epstein's ahistorical analysis and imagined that in twenty years someone would again ignore history and use economics to argue for the repeal of our civil rights laws. His unhappy prediction was almost dead on. A mere ten years later Epstein has himself now called for the repeal of all civil rights provisions prohibiting private employers from discriminating on the grounds of race, religion, sex, national origin, or disability.

This book is a long libertarian paean to freedom of contract. Epstein is a formidable scholar and provocative member of the University of Chicago's law and economics tradition. In the past he has written that many New Deal regulations are unconstitutional undertakings. In *Forbidden Grounds* he now argues that when markets are reasonably competitive, government should restrict its role to the enforcement of employment agreements—even agreements that explicitly discriminate against racial minorities. His analysis of unregulated contracting builds on Gary Becker's *The Economics of Discrimination* (1957), in which Becker suggested that bigoted employers who refused to hire black workers would be put at a competitive disadvantage and would eventually be driven from the market. The market, in short, could be relied upon to eliminate social injustice.

Epstein's analysis of competition, however, focuses not so much on competition driving bigoted employers from the market as on the incentives for non-bigoted employers to enter the market and to expand the employment opportunities of blacks and other victims of discrimination. His argument is not that bigots don't exist. But he believes that in an unregulated market, it would be *as if* bigotry didn't exist.

Epstein's analysis rests on two premises. As a libertarian, he believes that what he abstractly calls "the taste for discrimination" is "just another preference," and should, for that reason, be accorded equal respect by courts of law enforcing voluntary agreements. As an economist, Epstein believes that competition radically disables bigotry from hurting black people. Readers can easily reject the book's argument for the deregulation of employment discrimination if they reject either of these basic tenets.

Epstein desires not only freedom of contract, but a particular kind of freedom. It would be equally consistent with contractual freedom to imply a warranty of non-discrimination that an employer could waive only by explicitly telling employees and consumers that the employer retains the right to discriminate on the basis of race. After all, warranties that apartments will be maintained in a livable condition, or that products will be usable, are routinely presumed in contract law. Forcing employers to affirmatively contract for the right to discriminate might at least give employees and consumers information to protect themselves against the harms of discrimination. Under Epstein's analysis, however, bigoted employers would not have to go to the trouble of waiving an implied warranty on non-discrimination. Contract law would presume that employment discrimination was lawful. Epstein thus not only wants freedom of contract, but he wishes to furnish employers with a way to avoid the discomfort of admitting when they do discriminate.

Epstein's free market analysis is based on a curious reading of history. In his view, freedom of contract in the United States has never had a chance. He has the audacity to argue that our painful experience of racial exclusion before the passage of Title VII of the 1964 Civil Rights Act (which prohibited race discrimination in employment) does nothing to undermine his thesis that free market competition nullifies the impact

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of race hatred. Before the enactment of Title VII, Epstein argues, state laws *mandated* race discrimination by employers—so that market forces were never allowed to secure adequate employment opportunities for blacks. After 1964 Title VII prohibited discrimination. His historical analysis plays a crucial role in his larger free market thesis: by arguing that state action is solely responsible for our history of racial exclusion, Epstein is able to avoid the alternative explanation that private bigoted action worked a devastating injury upon black Americans.

In truth, the historical record does not come close to supporting Epstein's hypothesis that state coercion stifled market forces. He repeatedly argues that "Jim Crow" laws mandated race discrimination. The invocation of these heinous restrictions, however, does little to support his argument about the employment market. For although Jim Crow laws mandated "separate but equal" seating in theaters, transportation, and other public accommodations, they rarely placed restrictions on employers.

To support his thesis, Epstein searches for indirect ways that government forced all employers to discriminate. He argues that law enforcement officials were willing to turn a blind eye toward violence directed at employers who hired blacks. He suggests that state administrators could make life miserable for firms that violated the de facto rules of racial exclusion: "It is all too easy for an all-white town board to lose an application for a building permit, to postpone a meeting on a sewage connection line, or to harass unwelcome businesses into bankruptcy." His misreading of the facts is clearest in his analysis of hotel accommodations. He confidently asserts:

> Someone could have made a fortune catering solely to blacks who were kept out of the white hotels that adopted segregationist policies. Yet ... no firm could have entered the market in the face of the political forces that were arrayed against it. The dog that did not bark gives the best evidence of pervasive government involvement in this area.

Epstein's confidence is misplaced. If there were really a fortune to be made, surely some entrepreneurs would have tested the waters of the market, despite a discouraging social and political climate. The dog that did not bark is better evidence that no one could have made a fortune without the patronage of prejudiced customers.

Epstein is surely right that police indifference to private violence restricted the freedom of unbigoted parties to contract, but his claim that prejudice and bigotry wouldn't have affected the economic opportunities of blacks (if private contracts had been respected) is surreal. Jim Crow and indirect coercion were largely confined to Southern states, but patterns of racial (and sexual) exclusion pervaded many parts of the country. Even in the South, boycotts by bigoted employers and consumers could massively restrict the profitability of integrated or all-black production. And within Epstein's libertarian framework, private refusals to deal with integrated firms would not constitute state coercion. Moreover, Epstein conspicuously avoids discussing the massive evidence of housing discrimination throughout the country. A free market in real estate sales clearly has had a chance but has failed. Despite an extremely open market in which voluntary contracts are enforced, private refusals to deal have severely restricted the housing opportunities of African Americans.

Epstein combines free market rhetoric and this specious interpretation of history to demote the importance of bigotry. To further lull the reader into forgetting the importance of prejudice, the bulk of his book focuses on forms of discrimination that are motivated by profits, not by hatred or fear. For while Epstein believes that competition reduces the importance of bigotry, he does not assert that the free market will eliminate all forms of discrimination. To the contrary, he argues that certain forms of discrimination are necessary for economic efficiency. In a chapter titled "Rational Discrimination in Competitive Markets," he argues that "some forms of discrimination could improve the ability of certain firms to compete." Cheaply ascertainable information about race or gender might provide cost-effective knowledge about the qualification of workers. In a competitive market, employers might discriminate not because they dislike a particular demographic group, but because making statistical inferences on the basis of race or gender is profitable.

Epstein's analysis of alternative causes of discrimination might contribute, in a small way, to a richer debate about the appropriate contours of our civil rights laws. For, if Epstein is guilty of downplaying the importance of bigotry as a cause of discrimination, then the civil rights community may be guilty, too, of failing to acknowledge the possibility of statistical discrimination. I sense among some a fear that evidence of race discrimination will lose its moral authority if part of the discrimination can be attributed to employers' desire to maximize profits—and not to an active desire to disadvantage African Americans.

This fear may stem in part from the common misperception that race discrimination requires a demonstration of bigotry or hatred. The normal response of someone accused of race discrimination is to say, "I'm not prejudiced." Last year, for example, I published an empirical study that found that new car dealerships in Chicago quoted higher prices to black consumers than to white consumers who used the same bargaining strategy. A black salesman challenged my characterization of these results as "race discrimination." He admitted that black consumers were charged higher prices, but said that dealerships only did it to make money, not because they disliked blacks. I asked him what he would think if his dealership decided to pay black salespeople less—not because it disliked them, but because the dealership wanted to increase its profit. It was clear to the salesperson that the lower salary for blacks would denote race discrimination, but he was at a loss to distinguish why it wasn't discrimination to

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charge blacks higher prices as customers. Linguistically and legally, an employer is discriminating on the basis of race anytime race is a determinant of how a worker is treated—even if the employer's motive is merely to make money.

Instead of marginalizing the possibility of statistical discrimination, it is far better to address directly the harm that statistical discrimination works upon individuals. This past fall the television news program "Prime Time" powerfully documented that harm by having two young, college-educated men attempt to participate in several sectors of the St. Louis economy. The program showed that landlords, employers, and retailers persistently treated the black male worse than the white. To most viewers, the moral injustice of this disparate treatment would not be mitigated even if the retailers could somehow claim that the discrimination was cost-justified.

But the ramifications are more far-reaching. When employers base hiring decisions on the average qualities of a demographic group, this can effectively create a discriminatory tax or hiring hurdle that may deter affected individuals from investing in education that increases their productivity. Although it might be individually rational for employers to discriminate on the basis of some demographic trait, distorting the investment opportunities open to all affected individuals may reduce the total welfare of society. Epstein admits that statistical discrimination may induce "some efficiency losses," but he asserts without empirical support that the administrative costs of prohibiting statistical discrimination outweigh the possible benefits.

Limiting the ability of defendants to offer cost justifications for discriminating, he argues, is a central failing of current civil rights legislation. To understand this criticism, we need to understand more about the two different ways in which plaintiffs may establish Title VII liability. They have come to be known as "disparate treatment" and "disparate impact" causes of action. In a disparate treatment suit, an employer can be liable for relying on race (or other protected characteristics) in deciding whether to hire, to fire, or to promote, or in setting the terms of employment. In a disparate impact suit, an employer can be liable for using an employment practice (such as a test) that has an adverse affect on the demographic groups protected by statute. Thus, for example, a hiring rule that required prison guards to be men might be challenged in a disparate treatment case, while a hiring rule requiring workers to have high school diplomas might be challenged in a disparate impact case if the rule disparately excluded black applicants.

These two types of discrimination liability have given rise to two distinct cost-justification defenses that have been at the center of both the legislative and judicial struggle over the shape of our civil rights laws. In disparate treatment cases, there is an extremely limited cost-justification defense for sex, religion, national origin, and age discrimination. Employer discrimination based on these characteristics is allowed under the statute if the employer shows that the characteristic is "a bona fide occupational qualification reasonably necessary to the normal operation of the particular business or enterprise." Courts have limited this BFOQ defense to instances of "manifest business necessity." Thus, being female has been held not to be a bona fide occupational qualification for being a flight attendant. The statute, however, absolutely prohibits employers from using cost (or any other rationale) to justify disparate treatment of employees on the basis of race. There is no BFOQ for race. Thus, it would violate Title VII for a movie producer to refuse to hire a black actor to play the part of George Bush because of the actor's race, though the producer might be able to refuse to hire an actress to play Bush without violating the statute.

The second defense raises the most contentious issue of cost justification in disparate impact litigation. In a disparate impact case, plaintiffs make out a prima facie case of discrimination by showing that an employment practice disparately affects a protected group, whether or not discriminatory intent produced the effect. The central question of civil rights law for the last three years has concerned what burden employers must meet to legitimate an employment practice that has a disparate impact on African Americans or other protected workers. If plaintiffs show, for example, that requiring a high school diploma has the effect of disparately excluding black applicants for a job, what must an employer do to justify the use of this rule?

In 1971 the first Supreme Court case addressing disparate impact liability seemed to hold that employers could only justify a practice that had a discriminatory effect if they could prove "business necessity." Chief Justice Warren Burger, writing for a unanimous Court, held that an employer could be liable for requiring a high school diploma that disparately excluded black applicants, because a diploma was not necessary to perform the unskilled tasks in a coal power plant.

In 1989, however, the Rehnquist Court dramatically reduced this burden by holding that defendants merely needed to show that the employment practice served a legitimate business purpose. Under this new standard, it would be much easier for employers to justify the use of standardized tests or diploma requirements even if these screening rules disadvantaged protected workers. President Bush's veto of the 1990 civil rights bill and the protracted congressional battle over the 1991 Civil Rights Act centered on how to frame the employers' burden for justification (See "Fine Print" by Paul Gewirtz, TNR, November 18, 1991). The compromise language that finally won Bush's signature mandates that once plaintiffs show a disparate impact, the employer must "demonstrate that the challenged practice is job-related ... and consistent with business necessity."

Not surprisingly, Epstein focuses on disparate impact liability and the limited availability of a cost-justification defense as pivotal failings of our civil rights laws. Beyond his generic libertarian criticism of Title VII as "the antithesis of freedom of contract," Epstein argues that disparate impact liability exemplifies how: (1) judges inevitably expand the coverage of the Title VII text to increasingly inappropriate settings; and (2) civil rights liability itself can induce employers to discriminate.

Epstein spends a significant portion of the book arguing that federal judges have repeatedly extended civil rights liability beyond the text of the statute or the intent of Congress. He thunders at the judicial creation of a disparate impact standard that can hold employers liable even if they lack any discriminatory intent:

> If in 1964 any sponsor of the Civil Rights Act had admitted ... that it adopted the disparate impact test read into it by the Supreme Court ..., Title VII would have gone down to thundering defeat, and perhaps brought the rest of the act down with it.

Similarly, Epstein maintains that judges have lawlessly interpreted statutes to prohibit race discrimination in contracting and to allow race-conscious remedies for findings of past race discrimination.

Whatever the merits of these arguments in the past, they have now been

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rendered moot by the enactment of the 1991 Civil Rights Act. Epstein's certainty that the disparate impact test "would have gone down to thundering defeat" certainly didn't hold true last year, when Congress explicitly codified the disparate impact cause of action established by prior court opinions. The 1991 act similarly codified the judicial opinions that prohibited race discrimination in private contracting and established standards for race-conscious judicial remedies. In fact, the only time that Congress has overruled judicial decisions regarding civil rights has been when the Supreme Court has given narrow statutory interpretations to the civil rights standards. Contrary to Epstein's thesis of lawless judicial activism, the passage of the Civil Rights Act of 1991 continues a pattern of legislative approval and codification of the most expansive judicial readings of our civil rights statutes.

Epstein's more substantive criticism concerns the possibility that disparate impact liability could induce employers intentionally to discriminate *in favor* of blacks and other protected workers. The difficulty of establishing "business necessity" as a justification for particular employment practices might cause an employer to hire quotas of black workers and other protected groups to avoid disparate impact liability. This quota argument led Bush and Republican members of Congress to oppose the "business necessity" standard, and was enshrined in a Supreme Court decision in 1989 that attempted to facilitate employers' ability to offer cost justifications:

> [A business necessity requirement] at the very least would mean that any employer who had a segment of his work force that was—for some reason—racially imbalanced, could be haled into court and forced to engage in the expensive and time-consuming task of defending the "business necessity" of the methods used to select the other members of his work force. The only practicable option for many employers will be to adopt racial quotas, insuring that no portion of his work force deviates in racial composition from the other portions thereof.

The possibility that potential Title VII liability would induce employers to discriminate intentionally on the basis of race is a serious and respectable concern. Still, in leveling this criticism, Epstein fails to acknowledge or to resolve the tension between this argument and his own claims elsewhere in the book that Title VII may induce employers to discriminate *against* the very people it is intended to protect.

A firm considering whether to hire a worker protected by the law must look not only at the costs of failure to hire, but also at the possibility that the worker, if hired, might later be discharged and bring a lawsuit. The possibility of future liability for even a nondiscriminatory firing may be greater than the possibility of damages for a race-based failure to hire. These factors may work to deter employers from hiring women and racial minorities.

This disemployment theory, in other words, suggests that it is more costly to hire protected workers because of the prospect of discriminatory firing liability, while the quota theory suggests that it is less costly to hire protected workers because of the prospect of disparate impact liability. The disemployment theory and the quota theory both predict that Title VII itself can engender race discrimination in hiring by even non-bigoted employers. But both theories cannot be simultaneously true. Epstein cannot have it both ways. He cannot suggest that Title VII drives employers to hire more blacks (via the quota effect) and at the same time drives employers to hire fewer blacks (via the disemployment effect).

A recent article by John Donohue and Peter Siegelman in the *Stanford Law Review* provides some empirical support for the existence of a disemployment effect. The authors found that there has been a tremendous shift in the nature of employment discrimination suits in the twenty-eight years since the passage of Title VII. In the 1960s the vast majority of suits challenged discrimination in hiring; but by 1989 there were six lawsuits claiming firing discrimination for every one suit claiming a discriminatory failure to hire. Thus, while civil rights rhetoric often focuses on hiring, in the courtroom Title VII is predominantly used to attack discrimination in firing. The implications of this six-fold emphasis on firing litigation have been completely overlooked by Epstein and others in assessing the efficacy of the statute.

The tension between the quota theory and the disemployment theory highlights the need for more serious attention to the causes of race-dependent behavior. The possibility that the disemployment effect currently dominates employer decision-making might provide reasons for strengthening the laws' scrutiny of the hiring stage. But how to strike the appropriate balance between hiring and firing scrutiny is likely to turn on one's beliefs about the underlying causes of discrimination.

Epstein's book may spur others to tease out the complex and reinforcing causes of discrimination. He plausibly suggests that some employers may adopt race-conscious practices to make money or to avoid one form or another of statutory liability, but he completely dismisses the relevance of hatred, fear, and irrational stereotyping. By ignoring the forces that have so powerfully shaped our past and present history, Epstein's analysis cannot begin to address the relative importance of these various causes or their potential cures. It is easy to argue that employers should not have to justify practices that have discriminatory effects once you ignore the possibility that bigotry might be motivating employment decisions. But that is not our world.

In the concluding chapter, Epstein lets his guard slip and reveals more about his own beliefs about those causes, his own real motivation for attacking Title VII: "Anyone who works in academic circles, and I dare say elsewhere, knows full well that *all* the overt and institutional discrimination comes from those who claim to be the victims of discrimination imposed by others." (Emphasis in original.) Only at the end, then, do we learn just how evil Title VII really is. Epstein tells us that "the anti-

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discrimination laws lead to a systematic Orwellian campaign of disinformation." And the very last sentence of the book declares: "The modern civil rights laws are a new form of imperialism that threatens the political liberty and intellectual freedom of us all."

Epstein laments that the Civil Rights Act of 1964 was passed before the advent of law and economics analysis, and therefore could not benefit from its wisdom. But this was a disability under which the drafters of the Thirteenth Amendment also labored. I will not be surprised if, twenty years hence, someone ignores history and uses economics to argue for the repeal of our prohibition against slavery: After all, the prohibition against slavery restricts freedom of contract. In a society opposed to slavery, voluntary agreements for servitude never really have a chance.

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Merchants of Light

BY DANIEL AARON

The Making of Middlebrow Culture by Joan Shelley Rubin

(University of North Carolina Press, 416 pp., $34.95, $14.95 paper)

Measuring the social space between the "brows"—high, middle, and low—has long been a cultural exercise in this country, but it has seldom been conducted in a scientific spirit. "Highbrow" entered the language in 1883. It signifies "A person of superior intellectual attainments," but it also carries the "derisive implication of conscious superiority to ordinary human standards." "Lowbrow" (colloq. U.S.), "one who is not or does not claim to be highly refined," surfaced a few decades later. "Middlebrow," still unrecognized by the Oxford English Dictionary and not widely used today, doesn't seem to have cropped up until the 1930s. Webster's Unabridged Dictionary provides two definitions: "a person who is moderately but not highly cultivated" and a person with "pretensions to intellectual interests" who "dislikes works of art and literature that are original or unconventional in nature or that require effort for comprehension." The second meaning is implicit in Clement Greenberg's baleful sentence cited to illustrate it: "Middlebrow culture attacks distinctions as such and insinuates itself everywhere, devaluating the precious, infecting the healthy, corrupting the honest, and stultifying the wise."

The conception of middlebrowism as an insidious virus, loudly advanced in the 1950s by members of both the radical and conservative intelligentsia, is challenged, if not entirely repudiated, by Joan Shelley Rubin. She is not the first to do so, of course; but nobody else, so far as I know, has tried to put the wars of the "brows" into some kind of historical perspective. Rubin's announced aim is to correct simplistic notions of "middlebrow culture," to review "the boundary between 'high' art and popular sensibility" (neither of which she quite manages to do), and finally (the main intention of her intelligent and readable book), "to reassess the fate of the so-called genteel tradition in modern America."

The exemplars of that tradition once served as the republic's cultural watchdogs and articulated the political and social (and, of course, aesthetic) standards for a relatively homogeneous readership. After the Civil War, the clerisy began to take note of a turbid public outside its guarded province, and to worry about the gulf separating it from the culturally impoverished. "By what mediation," asked Mark Twain's friend Charles Dudley Warner in 1873, "shall the culture that is now in the possession of the few be made to leaven the world and to elevate and sweeten ordinary life?"

Matthew Arnold had touched on this question a few years earlier, when he called upon "the clique of the cultivated and learned" to "divest knowledge of all that was ... diffuse, abstract, professional, exclusive." His followers in America did their best to comply, but their squeamish sensibilities and devotion to Idealism, Beauty, and Good Taste (the hallmarks of gentility) cut them off from the masses, and left them vulnerable to H.L. Mencken's boisterous and slanted assaults. Rubin concedes that the American Arnoldians were often prejudiced, priggish, and timid, but she also calls attention to their civic-mindedness and democratic aspirations, and to their insistence that self-culture was only attainable by discipline and hard work.

Though the genteel tradition had lost much of its force by the turn of the century, it took a long time to expire. Devitalized rather than extinguished, it lasted long enough to flavor the middlebrow culture coming into full bloom at the end of World War I—a period when neither aesthetic nor social iconoclasts found much favor with the general public, when the legatees of the genteel tradition set the cultural tone. Rubin's main characters belong to this largely forgotten group that flourished for the next two decades and, abetted by a new breed of book men, concocted lucrative schemes to civilize the intermediate class. Her book describes this phenomenon as marked by "the shift from producer to consumer values" and traceable in the careers of editors, reviewers, novelists, historians, journalists, and media personalities whom she anatomizes in incisive biographical vignettes.

Taken collectively, Stuart Pratt Sherman, Dorothy Canfield Fishers, Henry Seidel Canby, John Erskine, and Will Durant (among others) seem to be a discrepant and diverse lot, differing as they did in social background, in regional origin, in intellectual equipment and literary values. And yet, as Rubin demonstrates, they had a lot in common, too. The majority of them were children of old-stock Protestant families, well educated, generalists of sorts, effective communicators, progressive but not radical, neither highfalutin nor lowbrow, and comfortable in the middle landscape. Like their genteel predecessors, they undertook to serve the middlebrow reading public, namely "men and women, fairly civilized, fairly literate, who support the critics and lecturers and publishers by purchasing their wares." In pursuing this objective, however, they softened the Arnoldian injunction to train and guide and discipline readers. They became less the priests of culture than its hucksters.

The reconstitution of the "genteel outlook" in Rubin's version unfolds in linked segments. The first is an appraisal of Sherman, of his slide from "moral arbiter" to troubled apologist of popular taste. During the Wilsonian years he had plunged into the literary wars, an aggressive recruit of Irving Babbit and Paul Elmer More and a foe of

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Mencken and Dreiser. He chided radical bohemians and warned of a "new public [read foreign-born] swarming up the avenues of democratic opportunity." Then came an abrupt sea change, coinciding, Rubin thinks, with a midlife crisis that Sherman underwent about the time he became editor of *Books*, the *Herald Tribune*'s literary magazine.

Thereafter he cultivated the romantic impulses and "aesthetic sensibility" that he had long repressed. Less determinedly self-disciplined and didactic, he no longer handed down judgments; instead he urged his readers to make their own. He would familiarize them with the unfamiliar, and draw them out. It was a role sanctioned by Arnold, but Sherman ceased to perform it with Arnoldian rigor. Gradually he adopted the "language of consumer culture" ("pep," "efficiency," and the like), advised rotarians to think of literature "as an 'information department,'" and legitimized the kind of slack and easy criticism he once despised. But not, one feels, without a tinge of regret. To reach a wider public, he observed in his journal, the critic had to simplify his prose, "reduce allusion," "erase shading," and remember that a review is essentially an advertisement.

Sherman's successors virtually turned this wry concession into a policy after his sudden death in 1926. Irita Van Doren, the new editor of *Books*, advised contributors not to perplex the paper's readers, to keep their reviews "fair," inoffensive, balanced, unjudgmental, comprehensible. Since there was no such thing as the "best" books—only books "best for certain purposes"—better to praise than blame. And a similar reader-friendly strategy, or concession, was adopted by other culture dispensers: the organizers of the Book-of-the-Month Club, founded in 1926; the promoters of the Great Books program; the publishers of the best-selling "outline" books; and the sponsors of radio book and quiz shows.

Rubin's account of these ventures is exemplary. It would have been easy for her to focus exclusively on their crass commercialism (which she by no means scants), and to debunk middlebrow culture in toto. Instead, she elects to occupy a middle ground. Without looking down her nose, she applauds the democratic intentions of its makers and distributors, "merchants of light," she calls them, borrowing Francis Bacon's phrase, who widened and standardized the market for "good books." But she regrets their capitulation to "consumer priorities," which paralleled the rationalization of middlebrow culture between 1917 and 1950 and the development of sophisticated techniques for vending it.

It was an advertising man named Harry Scherman who thought up the idea of the Book-of-the-Month Club, with its classy Board of Judges to make the selections and market-minded managers to float them. Rubin's chapter on the early history of the club describes how Scherman and his associates relied on long-tested sales ploys. Book ads plumbed the anxieties of putative subscribers who were presumed to be socially insecure and hungry for status. News bulletins assured them that they could develop their minds and personalities without interrupting "more important activities."

And the soft sell was the effective one. The club's respected "judges"—headed by the professorial critic and editor of the ultra-middlebrow *Saturday Review of Literature*, Henry Seidel Canby—presented themselves as disinterested connoisseurs of safe, clean, entertaining, unalarming, and graspable books. In their chatty commentary, they preferred "life experience and common sense" to "esoteric" and "academic" vagaries, wholesome books to morbid ones, the familiar to the experimental, Willa Cather and Pearl Buck to the modernists. Hemingway, Dos Passos, Faulkner, Fitzgerald, Wolfe, Sherwood Anderson, O'Neill, Joyce, Lawrence, and Yeats didn't make the club. Rubin quotes a sentence from a favorable review by William Allen White, one of the board members, that points to at least one criterion for acceptance: "In reading this book the highbrow may take the pins out of his brow and let it down, and the lowbrow may feel that he has raised it up a few inches."

On the face of it, the Great Books program that John Erskine inaugurated at Columbia University in 1920 aimed at a more literate audience than the undifferentiated membership of the Book-of-the-Month Club, but his suppositions were at bottom those of Sherman and Canby. Like them, he trusted the capacity of average readers to enjoy and to understand masterpieces without scholarly exegeses; and the books and the essays that he published in the '20s complied with "the priorities of an expanding consumer culture." He dwelled on the accessibility and the relevance of timeless books (none of them by women, blacks, or non-Western authors, Rubin dryly notes, perhaps with Allan Bloom in mind) that seemed to him "delightful" and "fun."

Mortimer Adler, Erskine's former student, disdained such appeals when he transported the great books idea to the University of Chicago. There it was incorporated into Robert Maynard Hutchins's "Chicago Plan," a more austere and demanding version of Erskine's original course. Yet it, too, bowed to commercial necessity. Eventually it was schematized in a fifty-four-volume set, *Great Books of the Western World*, and supplemented by Adler's gimmicky *Syntopticon*, a thematic index that permitted the user to pursue a topic without having to plow through any "great work" in its entirety.

An even less tasking way to absorb on the run "the best which has been thought and said in the world" was to settle for far-ranging and winningly written summaries such as H. G. Wells's *The Outline of History* (1920) and Hendrik Willem Van Loon's *The Story of Mankind* (1921). If nothing else, these immensely popular volumes demonstrated that literary journalists of their stripe managed far better than academic specialists or genteel men of letters to instruct and to delight the public. Rubin attributes the success of the "outlines" partly to the business-minded publishing firms, mostly Jewish, that marketed them, but adds that author and publisher alike were moved by more than mercenary considerations. They saw themselves, to paraphrase Van Loon, as the bringers of light to "the new masters" of the nation, hitherto culturally deprived. And that is how Will Durant, the wunderkind of middlebrowdom, conceived of his role as mediator "between elitism and democracy."

The son of working-class parents, French-Canadian on his father's side, and educated in Roman Catholic schools, Durant by 1911 had already renounced the Church and started out on a search for "self" and "knowledge." During his pilgrimage, he flirted with various heterodoxies, picked up a smattering of miscellaneous information, acquired an unshakable confidence in his own powers, and earned a doctorate in philosophy at Columbia University. His dissertation prefigured the strains of instrumentalism and idealism, science and religion, individualism and social engineering embodied in his most famous work, *The Story of Philosophy* (1926). A "pastiche," in Rubin's words, "of Durant's prejudices, interests, and readily assembled lecture notes," it appealed to a large but featureless body of readers confused by "technology's relentless output of disparate information" and receptive to his cheerful simplifications, his agreeably undemanding style and quotable maxims, and his advice to skip the hard parts of his nar-

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rative when they felt like it.

Durant's *Story* was the product of his happy collaboration with the firm of Simon and Schuster. Max Schuster had come across Durant's glib and readable studies of famous philosophers in the Haldeman-Julius Little Blue Books and spotted him instantly as the perfect instrument to "humanize" the heavy thinkers, to transfer them from their lofty niches into America's living rooms. Schuster believed in his product, and in his apostolic mission to save the culturally unregenerate. If he did not "invent" Durant, Rubin concludes, he "irreversibly magnified his fame as middlebrow authority—in a marketing campaign that brought together Schuster's uninhibited commercial instincts and his ideological commitments to the content of the book." The partnership lasted throughout the writing and the promotion of Durant's multivolume "outline," *The Story of Civilization*, launched with fanfare and spangled with endorsements from prominent literary personalities.

With the advent of radio, middlebrow culture began to lose what moral and aesthetic content it had once possessed. A few serious book programs did manage for a time to hold a sizable body of listeners, but the networks decided early to entrust the few minutes of prime time allotted to "literature" to "star" performers. Yale's "Billy" Phelps, the ultimate shill, lauded with equal enthusiasm the books that he "enjoyed" and Swift and Co.'s premium ham. Cream of Wheat sponsored the "Town Crier," Alexander Woolcott, a sharper and more acidulous personality than Phelps but no less gossipy and banal.

The quiz-show vogue of the 1940s further reduced the stuff of culture to fun and games. "Information, Please!," the best and most successful of them, relied on a panel of jolly experts to answer the questions put to them by Clifton Fadiman, the elegant yet folksy emcee and one-time editor at Simon and Schuster. The ring of a cash register, signifying that the experts had been stumped, periodically interrupted the flow of badinage and chitchat, often amusing and never intimidating. The cash register might be said to symbolize the program and the career of Fadiman himself, self-styled "'middleman' of 'thought and opinion ... a blend of pitchman-professor, selling ideas, often other men's, at marked down figures, which are easier to pay than the full price of intellectual concentration.'"

In his controversial *America's Coming of Age* (1915), Van Wyck Brooks divided the contestants into highbrow and lowbrow camps, the first all head and no guts, the second all belly and no intellect, and proposed a blending of the two if democratic culture were to flower. Critics like Dwight Macdonald scornfully disparaged this insipid amalgam, an earlier version of his "damnably American" thing, "midcult." But the blending that Brooks called for and that the anti-middlebrow contingent regarded as a foul contagion had been in process long before Brooks's pronouncements. The democratic consensus from the start was demotic, a melding of the high and the low, the imported and the local, and suspicious of anything difficult, unfamiliar, and obscure. Distinctions between the "brows" have remained blurred and unquantifiable, and attempts to prevent their commingling in the long run ineffective. As some nameless copywriter expressed it on the cover of a paperback in the 1950s, "The avant-garde is you." Middlebrow culture, for good or ill, was never "made." It simply grew.

Tocqueville's name doesn't appear in Rubin's book, but his reflections on the state of American culture in the 1830s are germane to her argument. He beheld a "heterogeneous and agitated society" infused with "a trading spirit." No highbrow elite fixed rules or monitored a literary canon as it did in his class-bound France. By far the largest number of book buyers were people of minimal literary education (rough equivalents of Rubin's middlebrow consumers) for whom literature "amidst the serious labors of life" was at best of marginal concern. Such persons, he thought, would never acquire a taste for its complexities and nuances. Constrained by the limited amount of time that they could devote to reading, they preferred books "which may be easily procured, quickly read, and which required no researches to be understood."

To be sure, the same could be said of the consumers of popular culture anywhere, but Americans in Tocqueville's day had no officially sanctioned High Culture to attack or to defend or to ignore or to adulterate, and no established priesthood of the lettered. And they have none of those things now, either. American readers still resist the imposition of standards from above, still continue to make utility and entertainment the touchstones of literary and artistic choice.

Rubin's story of the middlebrowing of America stops with book culture "largely relegated to public broadcasting," the market forces operating inexorably, the hope of reviving "the moral and aesthetic commitments" a dim prospect. But in telling it this way, she has to equivocate a little. Her liberal bias and her distaste for snobbery and elitism ally her with high-minded popularizers, carriers of culture to the general public, and yet she is plainly disturbed by their willingness to serve as the "cheer leaders" for that culture while participating in the commercial process employed to denature it. Acknowledging her ambivalence, she wistfully holds up as her model the critic and teacher F.O. Matthiessen, "who yoked together both democratic values and a rigorous concern for literary quality"; but then, as she observes, he is out of fashion these days.

And so is Edmund Wilson, briefly mentioned in her book but pertinent to the unfinished chronicle of the "brows." The last of the important Arnoldian literary journalists, Wilson monitored the cultural scene for three decades and elucidated in jargon-free English the puzzles of literary modernism without demeaning his readers or himself. Although hospitable to popular culture and artistic innovation, he upheld critical standards and hierarchies, guarded his independence, and spoke out against what he called "the gulf of illiteracy and mean ambitions."

Since his death, comparable explicators, and the social aims and qualities of mind that distinguished them, are no longer in favor. Their disappearance coincides with the homogenizing of the "brows" and the outbreak of a new Kulturkampf, this one confined to universities. It pits the stewards of the literary canon, liberal and conservative, against an array of divided factions, each one with its own set of grievances, its political agenda, its privileged texts and vocabulary, its villains and celebrities—parts of a multicultural federation united in their consensus of difference.

None seems much concerned with what used to be referred to as "literary values" or "craftsmanship" or the use and abuse of words or, needless to say, with the reading habits of a floundering readership in and out of the academy. This responsibility was undertaken, admittedly with mixed success, by Rubin's fallible middlebrow generalists before the advent of television and VCRs. In our culturally deregulated, superspecialized, and sectarian times, they are unlikely to have any successors.

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The Skeptical Pilgrim

By Andrew Delbanco

A Week on the Concord and Merrimack Rivers; Walden, or Life in the Woods; The Maine Woods; Cape Cod
by Henry David Thoreau
(Library of America, 1,114 pp., $30)

Thoreau's Morning Work: Memory and Perception in A Week on the Concord and Merrimack Rivers, The Journal and Walden
by H. Daniel Peck
(Yale University Press, 208 pp., $22.50)

The Writings of Henry D. Thoreau
Journal, Volume 3: 1848-1851
John C. Broderick, general editor; edited by Robert Sattelmeyer, Mark R. Patterson, William Rossi
(Princeton University Press, 620 pp., $39.50)

There is an unprovable, intriguing story that when Thoreau was teaching school in Concord (a plum of a job after the 1837 financial crash), a school board member visited his class and reprimanded him for failing to cane his students. Thoreau walked back into the classroom, selected six students at random, and beat them vigorously. And then he quit. The story accords with Thoreau's spirit, if not necessarily with the facts; and there is a hint in it of his peculiar position in the American literary tradition. The better-known part of Thoreau was the gentle dissident who spent a night in Concord jail rather than pay the poll tax. But he had also a certain pursed-lipped sourness; out on the trail he was adept, as one of his best recent critics has put it, at consuming wild berries that "were so tart it was a triumph to eat them."

Thoreau's was an unreconciled temperament. He was a countercultural hero, a nineteenth-century combination of Pete Seeger and Noam Chomsky. If he wrote reverently about nature, he was equally capable of writing about people with a shriveling disdain:

> One farmer says to me, "You cannot live on vegetable food solely, for it furnishes nothing to make bones with"; and so he religiously devotes a part of his day to supplying his system with the raw material of bones; walking all the while he talks behind his oxen, which, with vegetable-made bones, jerk him and his lumbering plough along in spite of every obstacle.

Thoreau would have something acerbic to say, in this spirit, about his appearance in one of the black-jacketed volumes of the Library of America, for which he has been cut to the same size, bound in the same cloth, and furnished with the same typeface and bookmark ribbon as the other writers (including, now, a couple of generals and politicians) who have been designated American classics. Being packaged as a worthy would make him uneasy, since he was, among the great figures of the American Renaissance, the most suspicious, arch, macabre. He was corrosively skeptical of all established structures and quick to categorize other men even as he condemned them for having categorical minds. In his lapidary technique and ghoulish humor (in the "Higher Laws" chapter of *Walden* he says that he is "strongly tempted to seize and devour [a woodchuck] raw"), he bore less resemblance to the earnest New England transcendentalists than to the alien writer whom Emerson called "the jingle man," that is, to Poe.

Wounded by a sense of disfranchisement—the son of a pencilmaker, he was short of money most of his life—Thoreau was always contemptuous of social organizations, even those that were willing to include him. When he replied to the Harvard alumni questionnaire by acknowledging that he was only marginally employed, he declined to be considered a charity case, and offered advice to any of his classmates who might wish something more valuable than money. Asked to join the Brook Farm communal experiment, he declined on the grounds that "I had rather keep bachelor's hall in hell than go to board in heaven." And when he traveled through New England in search of the receding wilderness, walking "across-lots" and following his compass and ignoring the fences and hedges that marked property lines, he saw nature as a great contaminated garden, and could seem oblivious to the plucky men who struggled to make a living from what nature supplied them:

> No wonder that we hear so often of vessels which are becalmed off our coast, being surrounded a week at a time by floating lumber from the Maine woods. The mission of men there seems to be, like so many busy demons, to drive the forest all out of the country, from every solitary beaver-swamp and mountain-side, as soon as possible.

The hovels of the cattle, he remarks, could be distinguished from those of the loggers only because they have no chimneys.

For the last twenty-four of his forty-five years, Thoreau kept a journal that ran to nearly 2 million words. Out of the more than forty volumes of what John L. O'Sullivan called "private interviews with nature," he fashioned two books that were published in his lifetime, *A Week on the Concord and Merrimack Rivers* and *Walden*. Through the efforts of friends, two more volumes, *The Maine Woods* and *Cape Cod* (which had appeared partially in magazines), and several collections of essays and letters were published posthumously. As a result, we think of Thoreau as a writer of books. But it is not clear that this is the way he wanted it to be. "I do not know," he wrote in his journal in 1852, "but thoughts written down thus in a journal might be printed in the same form to greater advantage—than if the related ones were brought together into separate essays. They are now allied to life—and are seen by the reader not to be far fetched."

The fact is that Thoreau did fetch his own words from afar—from back volumes of his journal—for both *A Week* and *Walden*, which are books more constructed than written, in which the writer has plagiarized himself. Thoreau lived at Walden Pond, in a cabin of his own construction (neighbors helped to raise the frame) for twenty-six months, beginning on July 4, 1845. While other

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New Englanders went on grand adventures—R. H. Dana to the open sea, Francis Parkman to the Oregon territory—Thoreau remarked coyly that he had "traveled much in Concord."

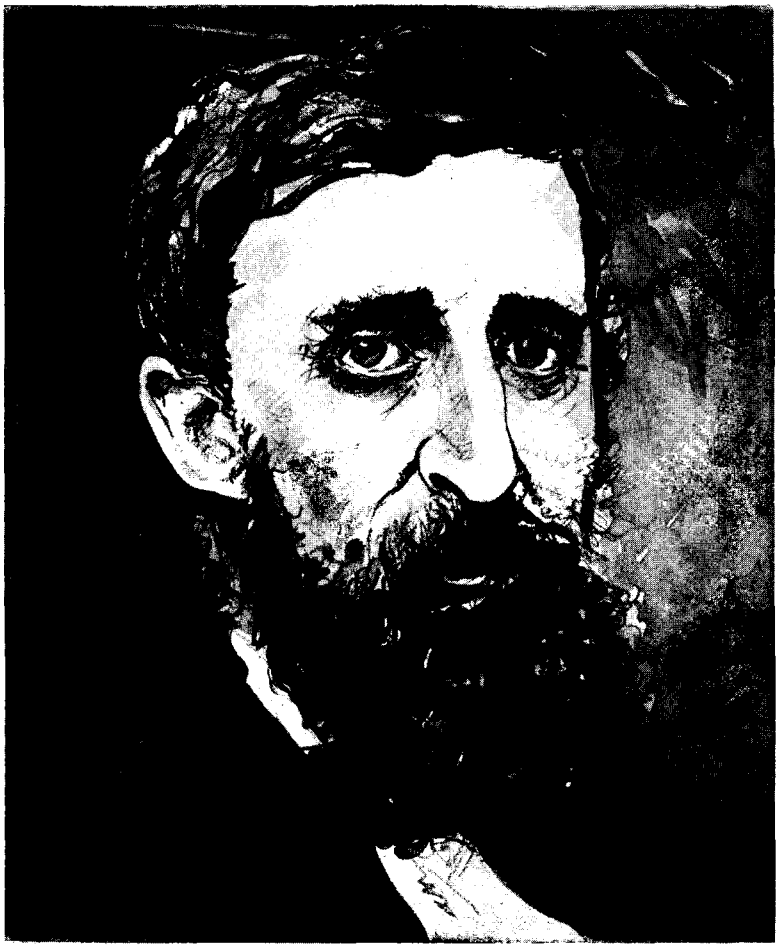
His two years at the little pond outside the village have struck many readers as somehow comical, like a child camping in the backyard, bravely holding back urine until morning to avoid having to squat outdoors. He "sneaked back from Walden in the evening," says Harold Bloom, "to be fed dinner by Lidian Emerson." But these chastisements miss the point. Thoreau was not embarked on some Outward Bound test of manhood, yet where he

> lived was as far off as many a region viewed nightly by astronomers. We are wont to imagine rare and delectable places in some remote and more celestial corner of the system, behind the constellation of Cassiopeia's Chair, far from noise and disturbance. I discovered that my house actually had its site in such a withdrawn, but forever new and unprofaned, part of the universe.

Walden is the honest record of this self-exile. It is not an advertisement of competence or courage. Much of what Thoreau wrote in his journal while at Walden found its way, after many revisions, into the final version of the book, which was published in 1854. But the text as we know it also draws on earlier and later sources—notes he took on Staten Island years before; short, self-contained essays on what we would call the semiotics of clothing ("the head monkey at Paris puts on a traveler's cap, and all the monkeys in America do the same") that he had written out in the early 1840s. Thoreau was a craftsman who worked with self-quotation and shuffled words that had once been, in Wordsworth's phrase, "the spontaneous overflow of powerful feelings," but function later like modular blocks that can be placed in new relations with others composed in entirely discrete moods and moments.

There is, as a result, a certain technological quality to the writing that Thoreau supervised for publication, as if he anticipated the new compositional possibilities made available to us all through the word processor. In this sense he belongs to a tradition of esoteric virtuosity; there are puzzles and clues embedded in *Walden*, a book that bristles with jokes in several languages and contains brilliant set pieces, such as the passage in which a wounded ant becomes Patroclus and his ferocious ally who avenges him by "gnawing at the near fore-leg of his enemy" becomes a formic Achilles.

A great deal of Thoreau's laborious artifice has been detailed by recent critics, but it was recognized already in his own time by his fellow transcendentalist



HENRY DAVID THOREAU BY JACK COUGHLIN FOR THE NEW REPUBLIC

Margaret Fuller. She wrote him a shrewd rejection note in response to an early submission to the *Dial*:

> Last night's second reading only confirms my impression from the first. The essay is rich in thoughts, and I should be pained not to meet it again. But then, the thoughts seem to me so out of their natural order, that I cannot read it through without pain. I never once felt myself in a stream of thought, but seem to hear the grating tools on the mosaic.

This is perhaps the most acute comment ever made about Thoreau. Its establishment of the "stream of thought" as the ideal of literary representation that eluded him predates William James's "stream of consciousness" by fifty years and Gertrude Stein by seventy-five. And when Fuller speaks of the pain that she felt in both approaching and leaving Thoreau's prose, she has recognized in him a certain penal quality that is his genius and his limitation.

Thoreau inflicts a kind of punishment on his reader because he hated, more than anything, intellectual laziness. He hated it in the way that Harriet Beecher Stowe hated slavery. He forbids us to relax into any accustomed mental posture: "We wished," he writes in *Cape Cod*, "to associate with the ocean until it lost the pond-like look which it wears to a countryman." The point is to attack all received ideas and images until they disintegrate under the assault. *Walden* is a lethal work ("I had three pieces of limestone on my desk, but I was terrified to find that they required to be dusted daily, when the furniture of my mind was all undusted still, and I threw them out the window in disgust") that leaves no structure standing through which we may see, sense, or think the world as we had done before we read it. *Walden* is, in this sense, a very intolerant book.

Its Emersonian project of destruction proceeds through a prose style that moves almost mechanically back and forth between contradictory assertions. "Old people," Thoreau tells us, "did not know enough once, perchance, to fetch fresh fuel to keep the fire a-going; new people put a little dry wood under a pot, and are whirled around the globe with the speed of birds." But at the same time the idea of progress is one of the myths he wishes most urgently to discredit: "We are eager to tunnel under the Atlantic and bring the old world some weeks nearer to the new; but perchance the first news that will leak through into the broad, flapping American ear will be that the Princess Adelaide has the whooping cough."

Reading Thoreau is like walking a line held taut between two opposite-leaning

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posts. The prose retains its tension because of its internal antagonisms, which is why *Walden* has lately proved so attractive to the deconstructionists. Thoreau was not only a contradictory writer, he was also a contradictory man—a conservationist who once burned down 300 acres of woods by leaving a campfire undoused; a victim, according to some recent medical historians, of narcolepsy, who proclaimed his commitment always to wake with the sun. A man's "growth requires," he tells us, that he "remember well his ignorance," yet he sends this proposition into collision with another one equally authoritative: "Those who have not learned to read the ancient classics in the language in which they were written must have a very imperfect knowledge of the history of the human race." The building materials of rustic *Walden* are its aphorisms modeled on classical sententiae; it is a book that summons us back to ignorance even as it rebukes us for the very ignorance we are supposed to recover.

Beneath this vibration of contraries is a dreadful emptiness. The most cultivated and scholastic of the writers of the American Renaissance, Thoreau was ultimately a despiser of culture. He faced, I think, an abyss of his own creating—the specter of absolute self-reliance in a more radical sense than even Emerson contemplated. What Thoreau discovered was that language itself, in the narrow sense of verbal vocabulary and in the wider sense of gesture and accoutrements, made him feel dead, because it subjected him to the worn and degraded inventions of other minds. We are "like cowbirds and cuckoos, which lay their eggs in nests which other birds have built, and cheer no traveler with their chattering and unmusical notes." Thoreau wanted desperately to make his own music, "to brag as lustily as Chanticleer in the morning, standing on his roost, if only to wake my neighbors up." Without the sound of his own voice, in the fullest proprietary sense, he felt lost in the cacophony of culture, and regarded himself as a bloodless automaton.

Yet language was the human thing he most loved. One becomes aware of this from the way he italicizes certain words like *auction* and *malaria*, which carry, for him, not merely their conventional contemporary meanings (a public competitive sale; a feverish disease) but also older etymological meanings (an increase; bad air)—resonances from the Latin and Italian that have become almost inaudible beneath the parochial hum of culture. These ancient meanings are precious to Thoreau, not because they confer upon such words the dignity of age, or require acts of archaeology from the superior reader, but because they suggest a pure point of locatable origin behind the process of linguistic change. Words, for Thoreau, carry traces of God.

Walden, in this sense, is a redemptive book. It peels away the layers of culture from everything it examines—words, dress, social habits—because beneath them, Thoreau believes, lies some ultimate stability that exists outside time. He was less the modern writer than his contemporary Melville, who, though he shared Thoreau's quest for divinity in and through language, suspected that "by vast pains we mine into the pyramid; by horrible gropings we come to the central room; with joy we espy the sarcophagus; but we lift the lid—and no body is there!—appallingly vacant as vast is the soul of man!"

Facing the prospect of such deserted ruins, Thoreau became what I would call a secret Catholic—the pilgrim who discovers and takes refuge in what he judges to be the one durable Church in which the spirit of God has consented to be realized in human form. Of the members of Emerson's circle, only Orestes Brownson actually converted to Rome, but Thoreau, no less passionately, made a Church of his own words. "It is something to be able to paint a particular picture, or to carve a statue, and so to make a few objects beautiful; but it is far more glorious to carve and paint the very atmosphere and medium through which we look." Words themselves become objects of worship—through which "we are enabled to apprehend ... what is sublime and noble ... by the perpetual instilling and drenching of the reality which surrounds us."

As *Walden* proceeds with this sanctifying fervor, it is written more and more as if its own purified vocabulary were literally the only words God had permitted to be left in the world. This kind of self-enclosure may be seen in the stunning chapter on "The Village," which describes the Main Street of Concord as a complete digestive system, by which the traveler is ingested, passed, and excreted "out through the rear avenues." One can read this passage again and again without noticing the excremental metaphor, but once it is pointed out (as it was to me years ago by Joel Porte) the passage can never be read innocently again. Though it may certainly have precedents in Dante and Rabelais and others, Thoreau's own metaphoric invention now controls us utterly. Concord becomes a permanently clogged intestine, and his revulsion becomes our own. After reading this it is hard to visit Concord as a cheerful tourist again—as unlikely as tapping one's foot to "Singin' in the Rain" after seeing *A Clockwork Orange*.

This passage, like many others among the most achieved in *Walden* and *A Week*, had first been written out years before in the journal—and is placed like an adjusted piece of masonry into a waiting slot in the book. Here, I think, we come

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to the heart of Thoreau's dilemma. The project of his books is to break down the structures that intervene between culture and nature: "If you stand right fronting and face to face to a fact, you will see the sun glimmer on both its surfaces, as if it were a cimeter, and feel its sweet edge dividing you through the heart and marrow, and so you will happily conclude your mortal career." But in the end this ecstatic suicide cannot be performed through highly conscious craftsmanship, which creates opaque, if impressive, new edifices.

The most moving moments in *Walden* are those where Thoreau recognizes this impasse:

> Though the woodchoppers have laid bare first this shore and then that, and the Irish have built their sties by it, and the railroad has infringed on its border, and the icemen have skimmed it once, it is itself unchanged, the same water which my youthful eyes fell on; all the change is in me. It has not acquired one permanent wrinkle after all its ripples.... It struck me again tonight, as if I had not seen it almost daily for more than twenty years,—Why, here is Walden, the same woodland lake that I discovered so many years ago;... it is the same liquid joy and happiness to itself and its Maker, ay, and it *may* be to me.

Thoreau speaks here of the lake as if he has puppied after it ("almost daily") like a shooed-away lover who will not give up; but the more devastating confession is that the aliveness that he had once known is slipping away. Thoreau's self-portrait in *Walden* belongs with Dreiser's portrait of Hurstwood and Hemingway's of Jake Barnes. They are all men whose sensory capacities are failing. Through and against language, Thoreau tries to get these powers back.

Another way to put this is to say that death is the specter over Thoreau's work. Magnifying the death struggle of the red and black ants under a tumbler on his windowsill, he writes with efficient fascination about the "breast all torn away," the exposed vitals, "the still living heads... hanging on either side of" one ant "like ghastly trophies at his saddle-bow." In the harrowing first chapter of *Cape Cod* he walks the beach after a ship carrying Irish immigrants has run aground and broken up:

> I saw many marble feet and matted heads as the cloths were raised, and one livid, swollen, and mangled body of a drowned girl,—who probably had intended to go out to service in some American family,—to which some rags still adhered, with a string, half concealed by the flesh, about its swollen neck; the coiled-up wreck of a human hulk, gashed by the rocks or fishes, so that the bone and muscle were exposed, but quite bloodless,—merely red and white,—with wide-open and staring eyes, yet lustreless, deadlights; or like the cabin windows of a stranded vessel, filled with sand.

This kind of writing, posing as an aesthetic evaluation, is really a test of Thoreau's capacity to keep from flinching as "the sweet edge" of death cuts him "through the heart and marrow"—as he had been cut years before by his brother's agonized death from lockjaw. He presents, for his own strengthening, the image of the

> men with carts busily collecting the seaweed which the storm had cast up, and conveying it beyond the reach of the tide, though they were often obliged to separate fragments of clothing from it, and they might at any moment have found a human body under it. Drown who might, they did not forget that this weed was a valuable manure.

One is tempted to hear in this report the old intolerant voice of the lemonish Thoreau, as if he is judging these scavengers for disrespecting the dead. But I think the emotion here is closer to envy than to disgust. These stoic New Englanders are part of the natural cycle of things, salvaging the seaweed, preparing it for market or their own use, undefeated by the prospect that each new wave may wash up a new corpse and remind them of their own mortality. Thoreau wants not to dismiss them, but to find a way—despite all his contempt for the drudgery and thoughtlessness of their labor—to join them.

He wants, in other words, to be somehow immunized against the fate of one

> woman who had come over [from Ireland] before, but had left her infant behind for her sister to bring, [and who] came and looked into these boxes, and saw in one ... her child in her sister's arms, as if the sister had meant to be found thus; and within three days after, the mother died from the effect of that sight.

Thoreau's writing is, in the final analysis, an effort to train himself to go on living after such a sight.

The finished books are the public testimonies of his survival. But his real self-therapy was his journal. It was published at the beginning of this century in a bulky edition, but is now being edited into a new clear text by a team of scholars at Princeton University Press, who have included some material never before published—fragmentary remains of portions of the journal from which Thoreau tore out sheets for insertion into works in draft. In this latest volume of the Princeton edition we can see Thoreau's conception of the journal changing from a storehouse to be raided to an integral work in its own right. I would venture the prediction that Thoreau's reputation has not yet

The Pink and the Black

The sea a goblet of black currant liqueur.
The pink sky regarding me sadly.
The hand that was mine, motionless,
beween passages in a story.
The sucking sound of underwater breathing, spitting.
The limy bubbles sequinning the sea.
The mutable shape we call man, rising out of it,
all nostrils and lips behind glass.
The day-glo flippers striking against limestone
like a Spanish fan on pearls.
The limp, sac-like bodies, pink suckers in perfect rows,
hooked at the belt.
The oyster-white rock on which we sat.
The sleepy face that looked at me.
The crossed ankles.
The inky cloud, like an octopus's secretion,
moving overhead.
The sun a watery white mess.
The dainty, crocheted net where the sea urchins slept.
The long spines of the one shucked for me.
The bowie knife, sharp as a curate's words, cutting, cutting.
The intractable sea flattening and flattening.
The metallic back of something escaping,
reveling beneath the shadows.
I had been so lonely, hungry as a snake.

Henri Cole

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reached its peak, because we are only beginning to know the journal. As it emerges we will recognize, more and more, his prescient formulations of what has become the leading intellectual problem of our time: the effort to move from the skeptical to the constructive mood; to come to terms with the discovery that rationality is just one in the infinite range of possible cultural performances; to remake a humane world at a time when the human "sciences" seem devoted to exposing their own arbitrariness.

Thoreau's skepticism was no less stringent than our own. What he had that we are losing was the redemptive idea of nature. It is in the journals even more than in the great books of "natural history"—*A Week, Walden, The Maine Woods, Cape Cod*—that he takes us without stint to the experience of "fronting" nature. In the most careful study yet of the compositional relations between the journals and the books, H. Daniel Peck remarks that

> for Thoreau, the very act of making a "book" implied closure.... To make a book like *Walden* meant drawing a boundary around the experiences it describes... and it is precisely because he did not have to think of his Journal as a text that he felt free to range between category and relation exactly as the power of paradigms, on the one hand, and the power of the world's images, on the other, moved him.

One sample from the extraordinary journal, from July 1851, will illustrate Peck's important point:

> Now I yearn for one of those old meandering dry uninhabited roads which lead away from towns—which lead us away from temptation, which conduct to the outside of earth—over its uppermost crust—where you may forget in what country you are traveling—where no farmer can complain that you are treading down his grass—no gentleman who has recently constructed a seat in the country that you are trespassing—on which you can go off at half cock—and waive adieu to the village—along which you may travel like a pilgrim—going nowhither. Where travelers are not too often to be met. Where my spirit is free—where the walls & fences are not cared for—where your head is more in heaven than your feet are on earth—which have long reaches—where you can see the approaching traveler half a mile off and be prepared for him—not so luxuriant a soil as to attract men—some root and stump fences which do not need attention—Where travelers have no occasion to stop—but pass along and leave you to your thoughts—Where it makes no odds which way you face whether you are going or coming—whether it is morning or evening—mid noon or mid-night—Where earth is cheap enough by being public. Where you can walk and think with least obstruction—there being nothing to measure progress by.

The exhilarating forward pressure of the open punctuation, the indifference to time, the ebullience of the Janus-faced traveler, all ensure that wherever we stop quoting from this passage, we have severed it from itself. Thoreau could not "walk and think with least obstruction" in the confines of a book. He was freest in his journal, and he knew, even as he made more than one literary monument out of it, that he was doing it a violence.

Reading Thoreau, whether in the spontaneous journal or in the finished books, one feels accused of hoarding comforts. Among the strongest reactions I have ever witnessed in a student was during a class on *Walden* when one of my undergraduates, a daughter of Korean immigrants, protested almost to the point of tears that she valued her clothes, her furniture, her *things*, and that she resented this man for trying to take this capacity for pleasure away from her. "It is desirable that a man be clad so simply that he can lay his hands on himself in the dark, and that he live in all respects so compactly and preparedly, that if an enemy take the town, he can, like the old philosopher, walk out the gate empty-handed without anxiety." My student did not want to hear that. Her protest was heartfelt because Thoreau had reached her, as we say, where she lives.

He is, despite all the barricades he erected around himself, an irresistible writer; to read him is to feel wrenched away from the customary world and delivered into a place we fear as much as we need. Midway on his hike toward Mt. Katahdin, he accepts a drink of cedar-beer from a backwoodsman and finds that "it was as if we sucked at the very teats of Nature's pine-clad bosom." Then, in words of wonderful pungency, he gives us (and himself) the full flavor of the drink: it tasted of

> the sap of all Millinocket botany commingled,—the topmost, most fantastic, and spiciest sprays of the primitive wood, and whatever invigorating and stringent gum or essence it afforded steeped and dissolved in it,—a lumberer's drink, which would acclimate and naturalize a man at once,—which would make him see green, and, if he slept, dream that he heard the wind sough among the pines.

To read Thoreau is almost to taste this elixir, and, with the unbearably tactile sense he gives of its absence, to crave it all the more.

ANDREW DELBANCO has recently edited and written the introduction to *The Portable Abraham Lincoln* (Viking).

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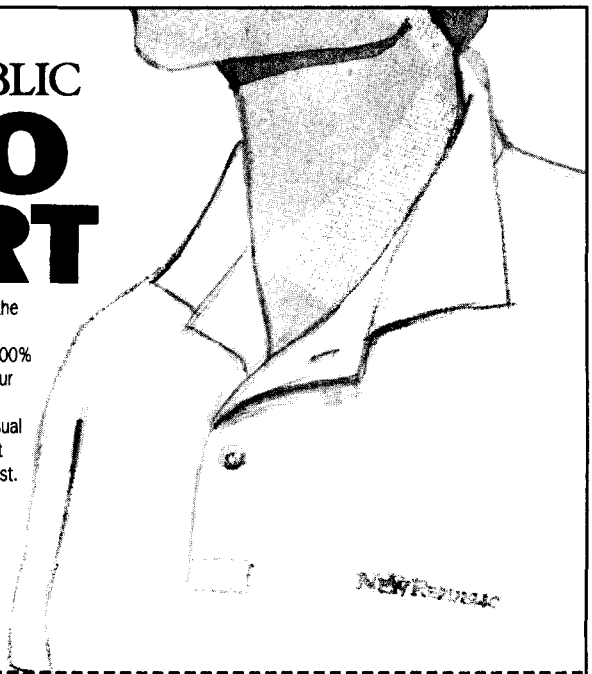

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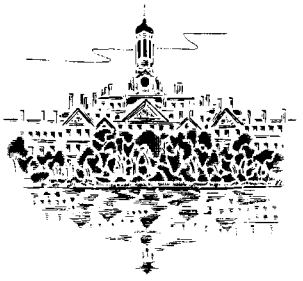
SOUTH HADLEY DIARIST

Thick-skinned

ONCE OR TWICE A MONTH, I HAUL an overstuffed black trash bag from my house to my car, and then drive it to the post office. As I hoist it from curb to mailbox, and let the brightly stamped envelopes drop through the letter slot like candies into a Christmas stocking, I entertain the brief, cheering illusion that I am Santa Claus. In reality I am the (newish) poetry editor of THE NEW REPUBLIC, and in my funereal black bag are personal letters of rejection to a few dozen people, mixed with (far worse, because in the hundreds) unsigned rejection slips. I work at home, and home is in the very small town of South Hadley, Massachusetts; there must be days when I'm generating more bad news from the local post office than any other single person.

AS A WRITER, I'VE ALWAYS RELished the irrevocable swish of an envelope in a mail chute. The letter, the poem, the essay could have turned out better, but the matter is now quite literally out of my hands. There's even a certain officious pleasure in reflecting that federal law prohibits my reaching down the mailbox's narrow esophagus to try to get my own words back. What a different timbre that irrevocable swish has for an editor! Especially, perhaps, for a poetry editor. I'd like to think that when my colleagues in the Washington office reject an article about the greenhouse effect or the White House follies, they feel a twinge of regret at seeing a writer's hard work go unrewarded. But normally they don't have to worry about the writer's hard work being compounded by a pre-existing heartbreak. That's what poems are usually about: heartbreak and death and the happy things that can't last because of heartbreak and death. Do you know how I console myself, standing there at the mailbox? *I didn't ruin anybody's life,* I say. *I only ruined their day.*

NOTHING CURES A POETRY EDItor of her compassion faster than an angry telephone call from a rejectee at dinner time. Less than a week after I disgorged my first black bag, a woman called me up to ask whether, since she would "never send out another poem again," I'd explain why I hadn't accepted any of her twenty or so offerings. Clearly she expected me to have a photographic memory of them. I did remember that I'd written her a friendly letter that looked forward to her next submission. But neither this nor the sounds of my children doing something loud and life-threatening in the background seemed to move her. She named a prestigious critic, and asked whether I'd ever heard of him: well, *he* liked her poems. And he had taken time to praise them in detail, but then he (like she) was English: I wouldn't understand. Did I write poems myself? Did I really? Then she played her trump card: Didn't it haunt me, when I rejected a poem, that I could be *wrong*? Not much, I could answer truthfully. Everybody above the age of 12 accepts fallibility as a matter of course. I'm sure I've already rejected beauties I was simply too tired or too close-minded to appreciate. No, what haunts me is not so much my poor judgment; it's the knowledge that artistic skill is in no way proportional to suffering. Heartbreak and death befall you whether you write a good poem or a bad one. It's just one more heartbreak on top of all the others when you can't get the poem published. "Writers have to be thick-skinned," I told my caller before returning to whatever was burning on the stove. But if that was a lesson I'd learned years ago, why was I shaking? I had to face it: though I could blithely accept my inevitable blindnesses on the job, the vision of some stranger out there—or lots of them—not liking *me* was hard to bear. Editors, too, must be thick-skinned.



IF YOU LIVE FOR POETRY, CHANCES are you'll have to live on something else. I've been trying my hand at pop lyrics. A musician friend of mine who put out an album a few years ago asked me recently if I'd like to collaborate with her. We're a perfect team. She has the ideas, the experience, the general hipness; I have the hubris born of total ignorance of the field. One day we wrote a love ballad so enthralling that we forgot to sit down while writing it. As scribe, I stood hunched over her kitchen counter, changing position only when one of us came up with such a good phrase that I needed to leap into the air. These people in the music business work quickly. The next morning my friend sent the lyric to a composer she knows, who, in about the time I'd take to make a tuna sandwich, wrote a song and made a demo tape with himself singing it, to the accompaniment of a full orchestra that turned out to be a synthesizer. It was beautiful—and to think it would make me rich! My friend took the tape to Hollywood, right away. She had meetings with important people, some of whom liked it. But they said the sort of thing I'm always saying on my NEW REPUBLIC stationery: it "wasn't right" for them. Are they crazy? Oddly, I hardly care as I drive around South Hadley doing errands, playing the song on the tape deck, over and over, very loud. I pretend I'm listening to the radio. And I'm not so thick-skinned that I don't get goose bumps.

I'LL SOON BE LEAVing my car and my post office behind. I'm moving, temporarily, to Paris (poets, please allow a longer wait for my reply). While apartment-hunting there last month, I spent a pleasant afternoon in its American Library. A young French woman apologetically interrupted my reading. She was holding open a volume of *Book Review Digest.* She wondered if I could decipher the abbreviated date of a notice, in *The New York Times Book Review,* of a novel, *Less Than Zero,* by Bret Easton Ellis. Who wrote the review? I did, evidently. In case I had any doubt, there was my name in print. *"C'est moi! C'est moi!"* I cried, something like Louis the Fourteenth. Did she want to see my passport for proof? Did she really believe it? Did I? How many people live in Paris—9 or 10 million? Weren't the chances almost ... less than zero that one of them would happen to turn to me at just that moment, with that particular question?

WHEN I CAME HOME AND TOLD friends my story, everyone had the same response: you have to write a poem about it. But would anyone have believed it? Isn't poetry for the universals of heartbreak and death? Life's most peculiar experiences often need the validation of prose. "It's a very short review—and not a very favorable one," I had told my French friend. But she said that didn't matter, and she was right. We had had our supernatural experience. And, after all, my review had done Bret Easton Ellis no harm. Thick-skinned indeed—as his next novels were to confirm—he has become the sort of writer whom some people might actually recognize in the library.

MARY JO SALTER

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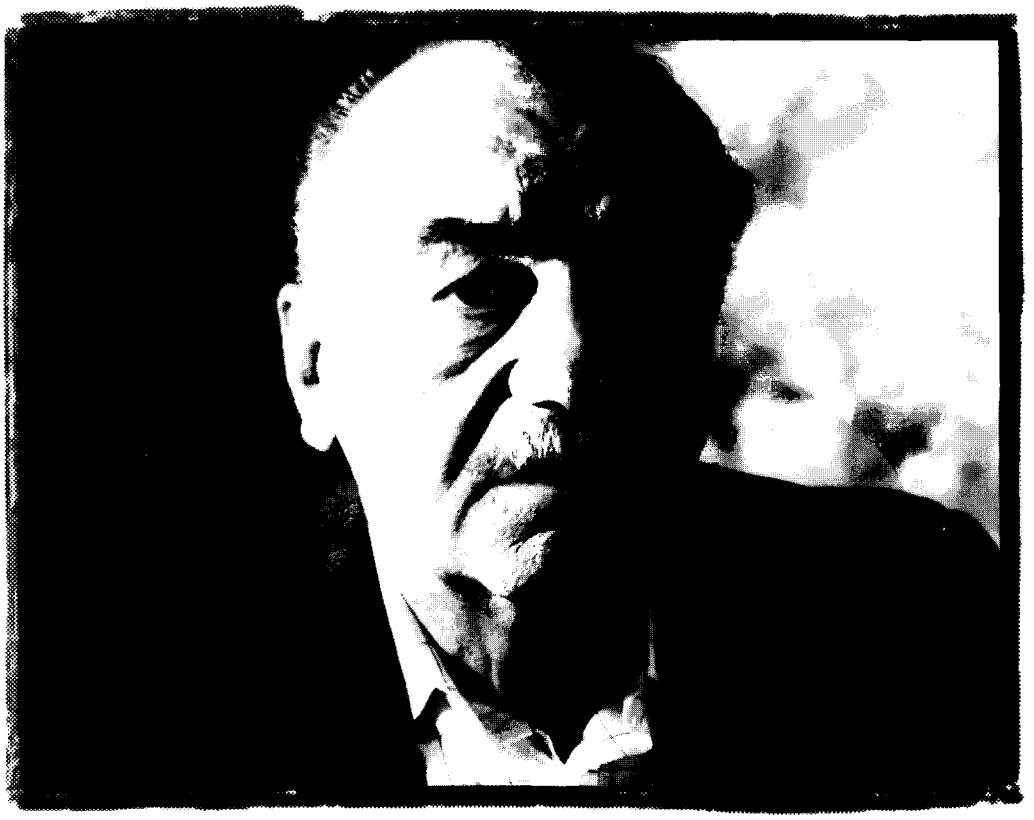

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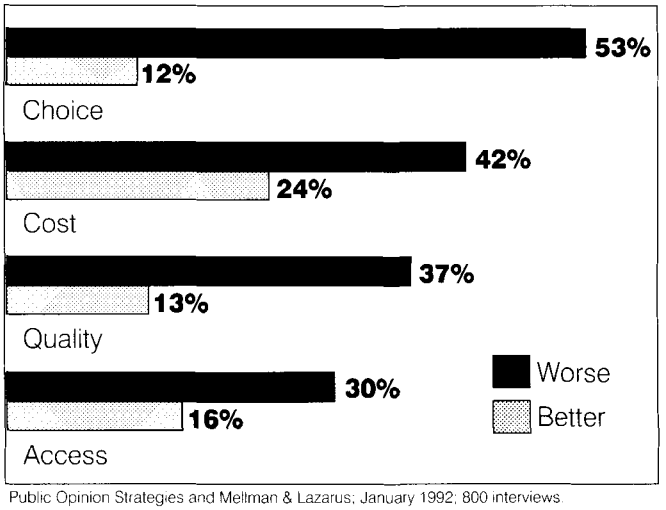

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